1	PUBLIC HEARING FOR THE
2	DEWEY-BURDOCK UNDERGROUND
3	INJECTION CONTROL DRAFT PERMITS
4	AND PROPOSED ACQUIFER EXEMPTION
5	
6	
7	April 27, 2017
8	4:00 p.m. to 8:35 p.m.
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10	Niobrara Lodge
11	803 US Highway 20
12	Valentine, NE 69201
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REGIONAL JUDICIAL OFFICER SUTIN: Okay.

Good afternoon, Everyone. My name is Elyana

Sutin, and I am the Regional Judicial Officer

from EPA, the Environmental Protection Agency,
in our Denver office in Colorado.

Thank you all for coming today. I will be chairing the hearing. And in addition to myself, you may have already met some of the other EPA staff that are here to assist in this hearing to ensure everyone who wants to speak has the opportunity to do so.

Before we get started, I'd like to introduce those folks so you know who they are if you have any questions. First, in the back of the room Douglas Minter, if you want to wave your hand. Douglas is the unit manager of the Underground Injection Unit, the Office of Water Protection at EPA.

Valois Shea, she's sitting up here. She works with Douglas in the Underground Injection Unit.

Lynne Newton, all the way in the back there, also works with Valois and Douglas.

Rich Mylott is our Public Affairs Specialist in the Office of Communication.

BLACK HILLS REPORTING

And then Katherin Hall is sitting at the table up here. Katherin is also a presiding officer from EPA and works with me.

On March 6, 2017, EPA issued two Draft
Underground Injection Control, or UIC, Area
Permits to Powertech USA, Inc., for injection
activities related to the uranium recovery near
Edgemont, South Dakota.

The draft permits include a UIC Class III area permit for injection wells for the in-situ recovery of uranium, and a UIC Class V area permit for deep injection wells for disposal of treated in-situ recovery process waste fluids.

The EPA is also proposing an aquifer exemption approval in connection with the draft UIC Class III area permit. We are here today, as I said, to listen to your comments on these area permits and aquifer exemption. The public comment period is open until May 19, 2017.

In addition to this hearing, four public hearings will be held in May. These hearings will be May 8th and 9th in Rapid City,
South Dakota at the Best Western Ramkota Hotel;
May 10th in Hot Springs, South Dakota at the Mueller Center; and May 11th in Edgemont,

South Dakota at the St. James Catholic Church.

For more information on times and location

addresses, please visit the registration table

or EPA's Website.

In a moment, Ms. Shea will explain in more detail what was proposed in the notice. But before I turn it over to her, I'd like to explain a bit about how today's hearing will work.

We will take testimony today from 5:00 until 8:30 with a half-hour break from 6:00 to 6:30.

I will call speakers to this microphone if you have filled out a card at the registration table. When it is your turn to speak, please state your name before you begin your testimony.

In order to be fair to everyone, we will limit our testimony to five minutes each. We will signal to you when you have one minute left with a yellow triangle. And then when five minutes has passed, we will signal again with the red stop sign, and I will ask you to complete your testimony.

Please try to be as succinct and on-point as you can. If I have -- if I find that you are straying from the topic at hand, I will

interrupt and ask you please to return to the issue before us.

If we have time at the end and everyone has had the chance to speak and you have more to say than the five minutes you were given, then I will allow people to get back up and finish their comments.

After you finish your testimony, members of the panel, which is myself and Valois, may ask clarifying questions. We are not here to explain the basis for the proposal -- the notice does that -- nor can we engage in a back-and-forth discussion of the proposal or respond to your comments during the hearing.

The purpose of this hearing is to receive your input. We will consider and then respond to all comments received during this hearing as well as written comments in the final permit and aquifer exemption determination.

So once we start with testimony, we will not be answering any questions during that time, just so that is clear.

We are recording the hearing today and this evening, so be assured that your comments will be considered. The court reporter sitting at

the table in front here will be preparing a transcript of today's proceeding that will be available for anyone who wants to see it.

The transcript is part of the record and will be included in the docket for this matter. The docket is where EPA collects materials it has considered in its action, including public comments.

The docket is available on our internet site, and you can -- you can also review a hard copy at EPA's Denver office. The transcript of this hearing will also be available in that docket.

If you have written copies of your testimony, please give a copy to our staff at the registration table. This will be helpful as we prepare the transcript.

If you have other written comments or supporting documentation that you would like to provide, you may leave those at the registration table as well, and we will make sure they are entered into the docket for these -- for this proposed action.

You also may submit written comments directly to the docket through May 19th.

Instructions for submitting comments can be found at the registration table.

I will ask Ms. Shea to come up and provide some additional information at this point.

MS. SHEA: Well, first of all, I would like to thank everyone for being here. Your participation is very important, and we appreciate the effort that you went to to come here with us today to listen to what is being said.

And as Judge Sutin said, we are taking down every word you say and all your written comments, and they will be considered before we make a final determination. So thank you for attending.

The matter at hand before us is the proposed Dewey-Burdock Uranium Recovery Site near Edgemont, South Dakota. We scheduled the hearing in Valentine because we wanted a venue that's close to the southern areas of the reservations that we're consulting with.

And I admit that I did not think about the impression that the citizens of Valentine would have when we have a public hearing in their town.

BLACK HILLS REPORTING

This will not impact your Ogallala aquifer in any way. The Ogallala aquifer does not extend up to the location of the Dewey-Burdock. So I apologize for the misunderstanding there, but we still appreciate you coming.

You do have a valuable input because you do have the Crow Butte facility at the northwestern part of your state. So we're very happy to hear whatever you have to say about protection of aquifers and concerns about uranium development.

So the EPA Underground Injection Control program regulates injection wells. We have proposed two injection well permits, one for the recovery of uranium and one for the disposal of treated fluids, waste fluids from the process.

We have developed the two permit documents, and then the fact sheets that explain the permit requirements. So we're specifically asking for your comments on these documents.

And the more specific your comments are about where these permits fall short of protecting aquifers and anything related to the protection of aquifers, the more helpful that will be in directly addressing our purview, our regulatory purview.

This -- the first step of the public participation process is issuing these draft permits. And I'll just go ahead and say, the most -- probably the most prevalent comment I have is, Why is EPA issuing these permits? It is because we have regulations that set aside a procedure for us to follow when we have a permit application.

We issue draft permits that are only proposed. We take public comment, and then we consider the public comments before making a final decision. So it is not because we are insane that we are issuing these draft permits; it's because we're following our regulations.

And I think that the public in general was very surprised. It sounds like this is way out of EPA's purview to issue a permit like this.

So I wanted to explain that we are following a procedure and not anything else related to our mental capacities.

Let's see. We are taking this public comment period very seriously. Our regulations require us to have a 30-day comment period and offer public comment and offer a public hearing if there is interest.

We've extended our public comment period through May 19th, and we're offering four different public hearings, including two days in Rapid City.

Today you may not feel that you have anything you wish to say. As you sit here and listen to other people speak, you may find that you do have something to say, and we do have time today for you to make those statements.

Or you may find that after hearing what people say today and considering the information, you might want to speak at another public hearing. We certainly welcome that.

The public hearings are a very important part of this process because it allows you to meet other people who have -- who share ideas.

You can continue to collaborate through the end of this permitting process, and I hope that you will have an opportunity to meet other people and share ideas and stay in touch and help us with our comment period.

Let's see what else my notes say here. We do have other documents that we've developed, an Environmental Justice Analysis, a Cumulative Effects Analysis of this whole project on

groundwater and other media, such as air and soil.

And then our tribal consultation document, we are taking comment on that, too, if you have time to read those and have comments about that. The two most important documents, though, to focus on are our draft permits.

So I would like to thank Jacque Perli here. She's our court reporter that makes sure we'll get every word that's said, and it will be part of our public record, as Judge Sutin said.

I'd also like to thank Chief Miller and
Officer McBride for helping us out here. We've
asked the police department to have a presence,
not because we expect anyone to misbehave but,
in a previous hearing, I had a last-minute
request from a mayor who said he did not feel
that it was safe for his citizens to attend our
public hearing without an officer of the law
present.

So rather than wait until the last minute and try to find someone, we decided to be proactive and invite them here early on, so we appreciate their being here today.

I think that covers everything I wish to

1 say, so we'll move on to the first speaker. 2 Thank you very much. REGIONAL JUDICIAL OFFICER SUTIN: So I think 3 my voice carries loud enough I don't need the 4 microphone. When I call your name, if you can please come up to the podium, and we'll get 6 started. 8 Our first speaker is Nancy Kile. 9 NANCY KILE: My name is Nancy Kile. Please 10 accept these as my comments to the formal 11 hearing record. 12 I am a Sioux County, Nebraska resident. home is located about the same distance from the 13 headwaters of the White River as we are from the 14 15 Cameco's Crow Butte Resources in-situ leach 16 uranium mine and milling operation at Crawford, 17 Nebraska. 18 In 2012, I returned to northwest Nebraska 19 where I was born and raised after living in the 20 Black Hills of South Dakota for 26 years. What 21 little I've heard about Crow Butte yellowcake operation was mostly public relations fluff. 22 23 In 20- in -- in 2004 and 2005, I spent a lot of time in Crawford caring for my terminally ill 24

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mother.

Mom was a resident of Crawford area

since the early 1940s. She was diagnosed with lung cancer in 2004, and died in Crawford nine months later.

During that time period, one of the many

Crow Butte Resources documented violations was

an undetected poisonous spill into an

underground source of drinking water that lasted

for two and a half years, spanning from July 1,

2003 to March 31, 2006.

Crawford residents die early in their lives, and many assume the mine is causing cancer.

Residents have tested positive for heavy metals contamination associated with ISL operations.

Their recovery is dependent on their leaving the area of contamination.

Residents fish nearby ponds and the White River at Crawford, but they do not eat their catch. It is rumored that a farmer had to down crops in their field due to contamination from an adjacent ISL license area. My uncle, also a long-time resident of Crawford, has stopped drinking his tap water.

Workers say that one of the 8,000 CBR wells has been sealed with railroad ties, and it is rumored that one of the deep disposal wells has

failed. Crawford and Dawes County have two of Nebraska's deepest toxic waste disposal wells.

Locally, the only critical thought and formal pushback against the uranium mine has been the Oglala Sioux Tribe and consolidated intervenors.

Expert witnesses, elected officials, economic elites, and growth groups worry about real estate values and their investments. The uranium mine and the yellowcake mill is left off travel publications and maps. It feels like a cover-up.

How do you invite people to visit or live in a radioactive-contaminated area? Informed consent is vital to ethical human population care and development. Is it not human trafficking to invite uninformed people to get sick?

Up north near South Dakota borders some people are saying they want the economic advantages uranium mining and milling proponents boast about. The economically advantaged up there must be talking about tax relief and school funding because Crawford is dilapidating.

The waterworks infrastructure is giving way,

and costly repairs are undertaken to keep the city water system functioning for a high-poverty and declining population due to the health and economic evacuation.

It is heartbreaking more for me when I think that shortsighted land managers and property owners tied our schools to an unlicensed nuclear waste dump and a future Superfund site.

Regarding the identification of traditional cultural properties at the Dewey-Burdock project site, formal consultation under Section 106 of the National Historic Preservation with First Nations must be completed.

My husband and I put our life savings into our sus- -- sustainable build at Glen, Nebraska near the headwaters of the White River.

The Nuclear Regulatory Commission's Atomic Safety and Licensing Board hearing made it clear to us what had been allowed on the landscapes of Nebraska's garden beyond the Sandhills.

We believe we contribute to the recovery of the Pine Ridge White River Basin, but our community needs help. Decision-makers need to stop the denial and start to take action against an industry that exploited our rural environs.

1	We need a safe and stable water supply.
2	High pressure injection and extraction
3	mining of uranium, oil, and gas is happening in
4	the Nebraska panhandle as we speak.
5	REGIONAL JUDICIAL OFFICER SUTIN: Ms. Kile,
6	your five minutes is up, if you could wrap up.
7	NANCY KILE: We in Sioux County are at the
8	gateway of Wyoming's movement to dump
9	out-of-state waste from these operations into
10	Nebraska soils. Who is accountable when
11	tectonic stability is changed and movement
12	occurs that allows poisoned production water to
13	further contaminate our regional groundwater?
14	No more exemptions. Mni Wiconi. Water is
15	life.
16	MS. SHEA: Thank you, Ms. Kile.
17	REGIONAL JUDICIAL OFFICER SUTIN: Next,
18	Michelle Haukaas.
19	Did I say that right?
20	MICHELLE HAUKAAS: Haukaas.
21	REGIONAL JUDICIAL OFFICER SUTIN: Haukaas.
22	I apologize.
23	MICHELLE HAUKAAS: (Speaking in indigenous 💭
24	language.)
25	My name is Michelle Haukaas. I am Sicangu

from the Lakota Oyate of the Oceti Sakowin, indigenous people of Turtle Island. On behalf of my tiyospay and tiwahe, family and extended family, I am here today to stand in opposition and resistance to the Dewey-Burdock in-situ uranium mining and waste disposal application in the Black Hills.

The proposed mine, if developed, will cause irreparable damage to our ancestral homelands and aquifers. It will destroy cultural and historical sites, ancestral graves, and prayer sites.

It will contaminate the land, the water, wildlife, and the air. The single most highly cherished concern and interest to my people is the Black Hills. It always has been, and it always will be.

The Fort Laramie Treaties of 1851 and 1868 were imposed upon the Lakota by the federal government and ultimately breached by Congress in 1877. The result of these broken treaties were generations of resentful Indians with a deep mistrust of the government and its officials.

Even now, without the United States's

commitment to the U.N.'s Declaration on the Rights of Indigenous Peoples, I wonder how meaningful these consultations really are.

In 1980, the Supreme Court ruled that the United States federal government did misappropriate the Black Hills and awarded the Lakota \$105 million in monetary damages. Today, that figure is over \$1 billion and is currently sitting in the Federal Treasury.

Under the Fort Laramie Treaty of 1851, we gather today on unceded Indian territory in what is now known as Valentine, Nebraska. Through genocide, ecocide, historical and intergenerational trauma, and in the wake of being one of the most poverty-stricken areas in the world, we prefer to retain and protect our sacred Black Hills.

Until Congress can come out from behind the bigoted mask of Manifest Destiny and we can come to a clear and encompassing agreement on the return of our ancestral lands, I ask that the EPA reject the Dewey-Burdock application and all future applications to mine uranium in the Black Hills and to preserve its cultural, historical, social, and spiritual significance and value to

1 the Oceti Sakowin. I pray to the Creator that these lands 2 remain sacred and in balance, and I include you 3 all in my prayers. 4 (Speaking in indigenous language.) REGIONAL JUDICIAL OFFICER SUTIN: Thank you. 6 Next -- I hope I'm saying this right; it's 8 hard to read -- Daniel Bear Shield. 9 Is that correct? DANIEL BEAR SHIELD: Yes. 10 11 Hello. My name is Daniel Bear Shield. 12 a member of the Oceti Sakowin. I belong to the Santee Sioux Tribe of Nebraska. I didn't have a 13 chance to really look at some of this stuff 14 15 that's being proposed, so. 16 But irregardless to that, I just want to say 17 that on behalf of the Santee Sioux Nation, I 18 have a resolution that was passed by our tribe 19 in opposition of these permits. So I would like 20 to share that with you guys. I'd like to give 21 that to you. 22 REGIONAL JUDICIAL OFFICER SUTIN: Thank you. 23 DANIEL BEAR SHIELD: And in regards to these permits and these applications, you know, we 24 25 would request that a denial be made not only

1 because of -- of the threats of contamination to 2 the aquifers, so I really strongly believe that, 3 you know, our -- our precious water, you know, is not really being looked at here. 4 To me, it's more valuable than this uranium that you guys are proposing to extract. So 6 today, on behalf of my tribe, Oceti Sakowin, we 8 ask that these permits be denied. 9 Thank you. 10 REGIONAL JUDICIAL OFFICER SUTIN: Thank you 11 very much. 12 Next, if we can have Waniya Locke. 13 WANIYA LOCKE: (Speaking in indigenous 14 language.) 15 I am from Standing Rock, and we are 16 protecting the Missouri River. I'm a part of 17 the Oceti Sakowin of the Hunkpapa Mdeakantonwon bands. And I'm standing here because there's 18 19 only 2.5 drinkable water in the world, and 1.7 is groundwater. We have 7.5 billion people in 20 the world. 21 22 So even though I'm a part of the Oceti 23 Sakowin, I'm also a human being, and I know how much water is going to be used and how 24

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contaminated it will be and what the effects are

going to happen medically, physically, spiritually to the people in the surrounding areas.

You know, the He Sapa are sacred to us. We go there annually to pray. It has significant cultural to us. One of the things that I really, really, really ask as a Standing Rock Sioux tribal member, to have a meaningful consultation, truly have meaningful consultation, to not just sit there and to listen and do away with our -- do away with our testimonies.

Think about the future. Think about what uranium is going to do to our water. And remember that you are making a decision for many generations to come.

Only 2.5 for the whole world; 1.7 groundwater is drinkable. Think about how much has already been contaminated from corporations that are protected by EPA law, that are protected by NPRA.

And we, as the people, are standing here and pleading and begging you, please reject it and deny.

(Speaking in indigenous language.)

REGIONAL JUDICIAL OFFICER SUTIN: Thank you. 1 2 Next, if we can have Darla Black. DARLA BLACK: (Speaking in indigenous) 3 4 language.) First of all, I want to greet you. I'm from the Oglala Sioux Tribe. I am the vice president 6 of the Oglala Sioux Tribe. I'm an elected 8 official. 9 However, I also want to point out that as a 10 member of the Oglala Sioux Tribe, in our traditional ways and our traditional beliefs, we 11 12 also believe that water is sacred to us. As a woman, 90 percent of your body is 13 14 water. When you carry a child, that child lives 15 in water before they are born. There is major 16 spiritual significance we are talking about 17 here. Historical. It's our way of life and our 18 belief system. These sacred Black Hills that 19 belong to us were given to us by treaty. 20 The organizations involved here did not come 21 to the Oglala Sioux Tribe on a 22 government-to-government relationship to meet 23 with us, to explain to us, and to allow us to do what we are doing here today, to tell you how 24

important the Black Hills is to us.

We have spiritual significance. And historically, my tribe has also given testimony from different administrations. They have also provided resolutions that are not accepting this permit that they are requiring.

The former tribal president, Bryan Brewer issued one. My tribe issued one. And I am sure the president of the Oglala Sioux Tribe will be forthcoming with that document.

Our reasons are, there's an immediate threat of contamination which will create irreparable harm. My people still hunt. My people still fish.

And just like the lady that spoke about her mother, my mother moved home, and I told her, "Be careful with the water because we don't know what's in it." We don't know if it's contaminated because of the drill holes that were not covered. My mother also has cancer now. I don't drink the water, and I am well and healthy.

By allowing this permit, you're going to desecrate what was there before. We have burial grounds. We have ceremonial sites. We have campsites. And our people still trek to the

Black Hills to pray, even today.

There we follow the constellations. We follow the moon, the sun, when they are shining on our sacred ceremonial sites. We go to the Black Hills to pray. These are all ancestral ways that have been here long before.

So to issue that permit would be detrimental to the Oglala Sioux tribal people because that water flows toward Pine Ridge. So I ask you today to reject that permit and require them to come and consult with the Oceti Sakowin. Not just the Oglala Sioux Tribe, but the Oceti Sakowin as a whole.

And I thank you today for allowing us to come here to voice our opinions.

(Speaking in indigenous language.)

REGIONAL JUDICIAL OFFICER SUTIN: Thank you.

Scott Kile.

SCOTT KILE: My name is Scott Kile. I live west of Crawford, Nebraska, along the White River, about 10 miles from an in-situ leach mine. And we're going to hear a lot of things about in-situ leach mines and exempting aquifers. They are not a contained system. They will leak. It's a fact. They will leak,

1 and people downstream are going to feel the hazards of this. 2 I'm here to oppose this. It's wrong. 3 criminal to exempt any aquifer. It's -- I just 4 don't have enough words to say how criminal this The EPA should not be exempting any 6 aguifer. Water is life. And if we ruin it, we 8 waste it, we're going to die. 9 And the EPA, being a cheerleader for things 10 like this, making it look nice and pretty is wrong. You're supposed to be there for the 11 12 people, and I expect you all to be here and make decisions for us, the people that live 13 14 downstream and around these areas. This -- I oppose this, and I hope you'll do 15 16 the right thing. REGIONAL JUDICIAL OFFICER SUTIN: Thank you. 17 18 Philimon D. Two Eagle. Did I say that right? Good. 19 PHILIMON TWO EAGLE: (Speaking in indigenous 20 21 language.) 22 My name is Phil Two Eagle. I'm here on 23 behalf of my tiyospaye, my future generations, the unborn. Also I represent the Sicangu Lakota 24 25 Treaty Council. We are chartered by the Rosebud Sioux Tribe since 1992 to address treaty-related issues.

Also, I want to start with the Treaty of 1851 that was signed, the first treaty that was signed. There's a lot of other treaties, but I want to refer to the Treaty of 1851 and tie it to the U.S. Constitution Article VI that states that: The Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the Supreme Law of the Land; and the Judges in every State shall be bound thereby, any -- any Thing in the Constitution or Laws of any state to the contrary notwithstanding."

Therefore, you always hear the term "water is life" on the -- and in a deeper meaning, I say water is alive. Water is alive. Mni kiniya lo. And that's why I'm standing here before you with my relatives of the Oceti Sakowin to ask the EPA to oppose this and anything that has to do with uranium mining or injection wells or anything that will be -- affect our environment.

We call (it would) Unci Maka, Mother Earth.



We need -- we work -- as a Lakota people, in spirituality, we are connected to the land, that everything is alive -- the rocks, the trees, the vegetation, the animals. Everything is effective.

When you hear the term "mitakuye oyasin," it means "all my relations." It means all the elements in the universe. And I ask them to come pay attention, to call for their attention to this center.

There's something we call a hocoka. It is where we center, where the voice -- where we call our voice from. And the Black Hills is our hocoka. It is the center of the universe.

And we stand on the treaty, and we ask that -- not just oppose it, but also the U.S. needs to go back and tell President Trump to stay away from things that will hurt the Mother Earth. We're heading into fossil fuels. We have pipelines coming -- going through the U.S., and nuclear energy.

These are all negative. They have -- they can destroy our earth. And I ask you to tell the President to look at renewable energy and go away from these things that are destroying

1 our -- our environment. We need to stop the 2 U.S. from going in that direction. That's part of -- anytime we sit down and 3 talk to each other, we have to offer solutions. 4 And that's what the EPA -- I don't know what impact or power you have. The President is 6 going to overpower those like he did in the --8 like Trump did in the Dakota Access Pipeline. 9 Even though the Keystone XL -- all of these are 10 all interconnected. That's why I'm mentioning 11 them. 12 That he's overturning things that are set for the EPA. And I also understand that he is 13 14 trying to abolish the EPA. So I hope -- I hope 15 that doesn't happen. 16 As the EPA, it says environmental 17 protection, so I ask you to protect the 18 environment and do your job and make that 19 connection with Mother Earth. 20 (Speaking in indigenous language.) 21 Thank you. 22 REGIONAL JUDICIAL OFFICER SUTIN: Thank you. 23 Next, Paula Antoine. Did I say that right? 24 PAULA ANTOINE: Good afternoon. Thank you. 25

(Speaking in indigenous language.)

Good afternoon. My name is Paula Antoine, and I'm a member of the Sicangu Lakota, which is part of the Oceti Sakowin. I am also a grandmother, a mother, and a relative to many.

I'm a resident of South Dakota, and I'm also very proud to be part of a growing movement of environmentalists who -- who stress the importance of clean water.

And I'd just like to remind the EPA of one of the most important portions of your mission statement, which states: All Americans -- that the EPA is to protect all Americans "from significant risks to human health and the environment where they live, learn, and work."

And the Lakota Nation -- the importance of the Black Hills to the Lakota Nation, that is our birthplace, that is our creation story, that is where we come from.

And destroying and -- not only the water that's in that area, but also the culturally and spiritually significant areas that are in that area. So I am asking that you provide us with meaningful consultations with the local tribes, including not only the Lakota Tribes, but in the

surrounding states, Wyoming as well.

And I'd also like to ask that there be a full cultural and historical survey of the area to determine any culturally significant or spiritually significant sites to our tribe and other local tribes.

And I would also like that that tribal consultation be defined by the local tribal -- tribal people, not defined by the laws and regulations that are set out for a tribal consultation.

And I'd also like to ask that the EPA comply with the Section 106 of the National Historic Preservation law, which is the NHPA law, which also defines and clearly states that there must be formal consultation with local tribes.

And another important thing that I would like to bring up is that there are a lot of mines that are un- -- that are -- that are not reclaimed in the Black Hills.

I would also like to request that the old mines in the Dewey-Burdock area which should be fully reclaimed before any new permitting -- new mining permit -- mining permit is permitted.

I would also like to ask that there be

adequate and documented procedures on that reclamation within the permit.

Also -- also, with the quality of the -- the waste that the water -- where the water is going to be distributed, it's how the monitoring system is going to be determined with that.

That depth, I would like to have a full, detailed report listed on that. Because, as we know, every pipe, every system that has to do with any kind of permitting like this eventually does break or leak.

And the monitoring system must be, you know -- I would like to know how you're going to monitor up to 3,000 feet below the surface of the earth and have that be adequate.

Also, I would also like to ask that you consider, as some of our other people that came up, is to honor our treaty as it is a ratified act of Congress and it's a supreme law of the land, and that there are other laws that are — that are within the departments of the United States that support EPA and the other laws — environmental laws in different departments, that they be considered when you're doing this.

And to please recognize our right as a

1 sovereign nation and to conduct those meaningful 2 consultations. But most importantly, I just would also like 3 to add that the future generations are depending 4 on what we say today and what we do today and how we protect the water and how we come 6 together to protect that water. 8 And water is life. And the point of all of 9 us coming together throughout the past few years 10 to protect the Black Hills and the area that 11 is -- that is affecting the Dewey-Burdock case, 12 we just want to have clean water for our people 13 and to have healthy people. 14 Thank you. REGIONAL JUDICIAL OFFICER SUTIN: 15 Thank you. 16 Chris Ward. 17 CHARLES WARD: Charlie Ward. REGIONAL JUDICIAL OFFICER SUTIN: 18 I am so sorry. Charlie Ward. 19 20 CHARLES WARD: That's all right. Call me 21 Izzy for short if you want. I just have a couple of comments to make. 22 23 One is, I don't think the EPA goes out and does these things without somebody pushing. Somebody 24 25 has had to put in a permit. Who is this

Powertech? Who are they really? I mean, where are they coming from? Who are they? And what are they really?

And then there's procedures that are followed. Who makes the procedures? EPA probably makes your own procedures, so your procedures are something you guys make and follow.

The other comment I'd like to make is, what is the half-life on that waste that's coming out of there? It's not the -- the half-life makes all the difference in the world of what goes in that ground.

And if it's radioactive, whatever that half-life is kind of gives you an idea of how long it'll be there.

And these people, I feel, are doing a job that they are asked -- somebody came to them, just like you or I came to them, and we asked them to do something.

I think we need to be looking at this

Powertech, find out who these people are, and
that's where you vent your things, not on these
people, because they're just doing the job like
we do a job also.

1 So that's my comments. Thank you. REGIONAL JUDICIAL OFFICER SUTIN: 2 Thank you. So those are all the comments we have so 3 far. If you -- if there are others who would 4 like to speak, you can sign up. We're happy to hear your comments. It is ten of 6:00. So we 6 will -- we'll wait until 6:00, then we'll take a 8 break, and then we'll be back here again at 6:30 9 if you would like to speak then. 10 So we'll go off the record at this point. 11 Thank you. 12 (Pause in the proceeding from 5:49 p.m. to 5:51 p.m.) 13 REGIONAL JUDICIAL OFFICER SUTIN: So we have 14 two more people who would like to speak. 15 16 going to go back on the record and let these 17 folks speak before we take a break. 18 First, Lynne Colombe. LYNNE COLOMBE: Good evening. My name is 19 20 Lynne Colombe, and I was born and raised on the 21 Rosebud Sioux Indian Reservation, just about 40 22 miles from here, I suppose. 23 I just wanted to speak a little bit on behalf of my own children, especially Johnny and 24 25 Jocelyn Jones, who are now nine and ten years

old.

And they were with me throughout the movement up at Standing Rock. They spent a lot of time just kind of seeing what was going on.

And they were there with me a couple of days before the Oceti Sakowin Camp was closed.

And one thing that my nine-year-old asked was, "So, Mom, if they are going to put that pipe in that water, does that mean that they don't care about the children? Does that mean that they don't care about our future?" And I couldn't answer them that day. It was too intense, everything else that was going on around us.

And, you know, then on the way over here today, my ten-year-old, who has autism -- she's very high-functioning, and she really tends to see the world in black-and-white. We were on our way over here, and she said, "Mom, why doesn't God help us?"

And I said, "What do you mean?"

And she said, "Why doesn't God help us to save the water? Why does he let these people come and just ruin our water?"

So I had to tell her, well, we're all here

with free will, you know, and we -- even though it's our job to be good stewards of the earth, and it's our job to protect the land and the water, and I explained to her about how everything in nature was a gift to us from God. And that we were the people, all of us here, that are charged with the stewardness of the land and the air and the water.

And so, you know, I -- I can say a million things about water and treaties and, you know, everything. But I think all we really need to remember is that we have a lot of children that are depending on these aquifer waters and on us to make the proper decisions so that they have something to drink. It's very simple.

And finally, you know, one of the things that really struck me throughout the whole Standing Rock thing was when they were all snowed in and things were really tough, I thought, Man, these -- these folks really lack infrastructure. You know?

And I started thinking about it, and I saw this great, big, you know, 30-foot pile of snow out in their casino parking lot. And I felt bad, and I said, "You know what? These guys

don't even have the infrastructure to move that pile of snow. How are they going to clean up a river?"

And I think we need to remember that, you know. What color we are at this moment doesn't matter. We're all living in a rural community. And in these rural communities, we don't have that kind of infrastructure. We don't have the machinery.

And if there's one thing that we know is that anytime there's an environmental disaster, it's the community that resides there that is charged to clean it up, and we simply do not have those resources.

The same thing when our waters are contaminated and people's rates of cancer begin to rise in these communities, we don't have a cancer care clinic here. We have to travel many, many hours to treat our families in cancer clinics. That goes for everybody here in Valentine, too. They have to go all the way to Omaha.

So it's a lot deeper when we look at this issue of contamination, because the residual effects on those communities are very simple.

1 We are not equipped to clean anything up, and we don't have the resources to treat our people 2 3 when they get sick. 4 Thank you. REGIONAL JUDICIAL OFFICER SUTIN: Thank you. Sam High Crane. 6 SAM HIGH CRANE: Good evening to you, 8 ladies, and good evening to you all. My name is 9 Sam High Crane. I come from the Rosebud Lakota Reservation, same place where Lynne and some of 10 the others that are here. 11 12 And I think -- I have nothing written to 13 present to you, but from the top of my head, I 14 guess, I'll try to go. 15 Way back when I was a young -- young boy, 16 little boy, I had a great-grandmother who was 17 the daughter of the well-known Chief Hollow Horn 18 And she used to tell us stories, talk 19 about the past a lot, and she also talked about 20 the future. 21 She said the world that we live in today is 22 the second world that we are living in. 23 first one was demolished, and we surfaced to the earth from the Black Hills. And she said how

the people got greedy, how they became liars and

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cheaters and Iktomi. Iktomi is a story that has many tales about wisdom, cheating, lying, stealing, all these things.

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And she said in the future, there's going to be a third world coming, and when that third world comes, it's going to be a major catastrophe. She said the weather is going to change, and the world is going to tip over to one side. And I thought all this time these were only stories, until one day I was in California.

I just pulled into California, Sacramento, and they had that earthquake in the ocean in Japan. And that tsunami was coming towards the West Coast, and everyone was all excited. didn't know where to go. They didn't know where to go hide.

And eventually, about three or four days I believe it was, later, it hit Portland, Oregon. And the rain came, and it washed away all kinds of mountainsides. And look what the weather is like today.

When I was a little kid, again, we were able to drink from the river back in Spring Creek, from the springs. They call it Spring Creek

because almost every little valley, there's a spring that comes out from somewheres, and it becomes into Little White River.

But anymore, we can't drink that water. We have to rely on well water, and even that is questionable. Because within the last 20 years, I believe, the cancer rate right there in Rosebud and surrounding has gone quite high.

And it just -- I was sitting there thinking of how -- what do we have to do to get our message across that some of us -- we say money gives life. In Lakota we say Unci Maka gives us life -- the water, the plants, the animals.

And so who do we talk to about our resistance? Because people that don't even live here, they come and they put uranium mines right in our backyard, as this one lady spoke about. Or they put oil lines, and we resist it and resist it, and they just said, "Well, put it in."

That tells me we have -- our lives are ending. So I guess my stop sign popped up, so -- so anyway, thank you all for listening, and I'm sorry that we only have five minutes. I could have gone another hour.

1 Thank you. REGIONAL JUDICIAL OFFICER SUTIN: 2 Thank you, 3 Mr. High Crane. We will take a break for half an hour, and 4 if we don't have additional speakers, if those 5 that spoke before would like to come up and 6 speak again, we can. Thank you. 8 (A recess was taken from 6:00 p.m. 9 to 6:46 p.m.) REGIONAL JUDICIAL OFFICER SUTIN: Okay. 10 11 think we're going to get started. We have some 12 more people who would like to speak. Again, at any time if you decide you would 13 14 like to speak, please just go back to the registration table and fill out a card, and 15 16 we're happy to have you come up and -- and give 17 us your comments. 18 Just as a reminder, we are giving people 19 five minutes to speak, and after one minute, we 20 will hold up a triangle so you know that you 21 need to start wrapping up your testimony. And then at five minutes, we'll hold up the red stop 22 23 sign, and we'll ask you to please finish your 24 testimony.

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So with that, if I could have Andrew

Blanchflower.



ANDREW BLANCHFLOWER: Thanks for holding this space.

I'm not sure if it makes much difference, this whole process, but mostly I just wanted to register my opposition to this proposal that this corporation is wanting to do because, even if it is completely safe, it's uranium. It's not -- it's not safe. It makes bombs or it makes nuclear power, and we still don't know how to deal with nuclear waste.

So as a body of Environmental Protection, I think you're beholden to not allow things like this to happen. But then I don't know how much power the EPA has these days since the new government. So I'm kind of wondering why we're all doing this and not just doing something else more, like, direct or something.

But, yeah, mostly I just wanted to register that it's -- I -- it's -- it doesn't make any sense to me. I don't know if -- I'm currently a resident in South Dakota with the Sicangu. I have relatives there.

And, yeah, so on many levels, not just a physical level and a cultural level, it, I

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1	think, is completely inappropriate, and I hope
2	that you will stop it.
3	Thanks.
4	REGIONAL JUDICIAL OFFICER SUTIN: Thank you.
5	ANDREW BLANCHFLOWER: You want to say
6	something? Okay.
7	REGIONAL JUDICIAL OFFICER SUTIN: So I think
8	we have some more youngsters who would like to
9	speak.
10	If I can have Samuel Stands.
11	SAMUEL STANDS: Pi. My name is Samuel
12	Stands. Mni Wiconi. No uranium. Mni Wiconi.
13	Black Hills.
14	TONIA STANDS: What does it mean?
15	SAMUEL STANDS: Water is life.
16	REGIONAL JUDICIAL OFFICER SUTIN: Would you
17	like to say anything else, Samuel, or are you
18	done?
19	SAMUEL STANDS: Yeah, I'm done.
20	REGIONAL JUDICIAL OFFICER SUTIN: Okay.
21	Next if I can have Alan Stands. Alan
22	Stands, would you like to speak?
23	Oh, he's outside.
24	Tonia Stands?
25	TONIA STANDS: I am Tonia Stands, and I'm

from Oglala, South Dakota, and I come from a little town where the White River breaks into White Clay Creek. And along that White River, we deal with uranium contamination. And they -- I come from people that don't know that this is happening to them.

And there's spills and leaks. And, you know what? There's swimming holes out there where people still swim when it's really hot, you know. And they -- and they live out there. And they still fish in those waters, and they eat those fish. And they even tell us, like the deer and the fish, they're all sick. They have bubbles and lesions on them.

And I have family with uncles -- I think you're supposed to report this, and they don't even know how to report this stuff or how to deal with it. But those -- the horses drop dead. My uncle had, like, 15 head one time, 25 head one time, and they don't know what to think. Like, what's this coming from?

And when you look on when these leaks and spills happen, they are around those times, and nobody tells the Oglala Sioux Tribe or the people that live along that area.

1 And the reason I tell you this is, this Crow 2 Butte uranium mine is ten years on a temporary permit. And I know all of you know that. 3 where in the world does anybody get to 4 contaminate water like that? And you know what, those aguifers, there's 6 leaks under there. So we're getting it right 8 from White River and underneath in the aquifers. 9 Can you time me out? I'm going to give my 10 baby to my spouse over there, staring at me. 11 (Pause.) 12 And I wish I could hang this sign up, but -our banner we made. And this says, "Keep 13 14 uranium out of the sacred He Sapa aguifers." 15 And we really mean that, especially the Oglalas 16 from the Pine Ridge Indian Reservation and as 17 the Rosebud people, because they get White 18 River -- there's a town here that's called White 19 River. And nobody knows that. 20 So when you're -- and those mines, those old 21 mines that this proposed mine is going to go on, 22 it's going to increase the contamination, 23 because they have these spray mists, that you know about, and these evaporation ponds. 24

And when you look at Crow Butte's list of

excursions and they -- there's a probably, like, a 20-year history of five-year well -- well -- you know, where they're not up to their five-year code. And they keep doing that, but they're still on this temporary license. That's crazy.

You know, so when you look at it, nobody cares. No one says nothing. It's like the silent genocide that's happening to us. We can't stop it. EPA, you're not going to come in and clean our water. You know this is happening, and you want to go and talk for Dewey-Burdock and tell us about this in-situ mining.

And, what, you want to worry about jobs and all this, and it's just going to keep contaminating us?

This is our evidence, Pine Ridge

Reservation. Our tribe keeps water tests, and
they know it's coming. And Cheyenne River, my
dad lives in Red Shirt. One of the first
communities that -- and you know what, we all go
swimming in Angostura. And just like Whitney
dam, Angostura dam is full of uranium, and no
one talks about it.

And they want to keep bringing aquifer mining into our area? Those are like five -- five pristine aquifers. And you know what, three of them are in Lakota.

And you remember this, you know, Christians, they have Jerusalem, their mecca. You know, the Black Hills is our mecca. That is the center of the universe. That's where everything started.

We know that because our -- our history -we were, we raised that. We grow our kids like
that. We don't forget that ever. And that's
been our philosophy. Don't you ever forget
that. You come out of Wind Cave.

So you know what, if we could ever get down there and look at it, which we can't, given though that's our home -- can you imagine that, never, ever going back in your home? Yeah.

And you want to go in there and -- it's just really overwhelming. You know, because we swim, we fish, we just -- we're not in -- and that's our home. That's where we come out of. Go to Wind Cave, and they'll tell you that, too.

And those aquifers down there, there's caves where we lived. And that -- those petroglyphs, those are all ours, and you take that away from

us. And you know what, on top of that, we still eat our plants and our vegetables and our -- our medicines that grow down there. That's how we grew up.

And so you're taking that away. You're ruining that whole ecosystem. And those outcrops from the Black Hills go all the way out to Spirit Lake, and that's another part of our nation. Those outcrops go that far.

So I don't even know why you would even come around. That's crazy. Well, look at what you did to Crow Butte, though. Crow Butte is crazy, right? Went to a Nebraska preservation officer for our cultural relevance on a temporary permit for ten years. Are you crazy?

And then, what, you want to bring that into the Black Hills? Pristine waters. And they do dye tests, and they leak out into our creeks and our rivers.

It's a natural way of life, and there's no way this -- those evaporation ponds, spray mists, and those reinjections into the aquifers is going to keep it safe.

You can't play God with science. So just remember that. You come from a long -- you're

destroying a long, long line of people. You're not just -- you're not just going to go in there and take yellowcake.

And the value of yellowcake is less than any of our plants and food we eat. I could go get chokecherries and buffaloberries, rare berries out of there. And the value of them is greater than your yellowcake cake.

REGIONAL JUDICIAL OFFICER SUTIN: Thank you.

So I know Alan Stands was out of the room.

Would Alan like to speak now? How about we'll

come back to Alan.

Okay. Kathy Chauncey.

KATHY CHAUNCEY: My name is Kathy Chauncey.

I live up at Mission on the Rosebud Reservation,
and my sister lives out to Edgemont at the other
end of the area that this lady that was just
speaking was talking about.

She has a ranch, and she has -- you know, she's been, you know, trying to get the cleanup going around her area where her land is. She has now grandchildren there. It's a third-generation property. I know Pine Ridge has a lot of reservations.

You see the problems with Brazil, their meat

was bad. And now you're also destroying the livelihood from Pine Ridge, Rosebud, and the people that live out where you're going to have this mining.

And it's not really mining because we're, as we -- as I understand it, it's going to go to the foreign countries that are making weapons to use against us.

So we need to protect our country. We need to protect our land, our water, and our people, and the chokecherries, and the buffaloberries and, most of all, the water that we all have to live with.

You know, the deer -- we shouldn't -- you know, people make a lot of money in South Dakota off deer hunting, both the tribes and the state. But if that meat is bad, you know, they give it to the food pantries, and the food pantries, those people can't eat that.

So it's taking food away from the many, many food pantries from feeding South Dakota because that meat will no longer be edible for these people.

So you, you're destroying the poorest of the poor people, the people that are on the land,

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living there, and trying to maintain clean water. It -- you know, they want it for their animals, for their people, and we want it -- we do not want a uranium mine that's going to be sold to foreign countries.

So I would request that this be denied. My mother is 90 years old. She spent the last three days calling everyone, sending things to the radio, sending, you know, e-mails to every coun- -- she had a girl that sent e-mails to every councilman on Rosebud. And they are all, from what she heard back, were against this.

So you think of a lady that's lived 90 years, and she's fighting against it. And those are her great-grandchildren that want to carry on and live out there.

And that little young man that came up here, I work with those children, and I don't want to see them suffer. I do testing for psychological needs. And I can guarantee you that I see more and more children coming forward that are really being -- I don't -- I can't prove that it's what it's coming from, but I see that they're no longer able to maintain their skills in school.

And so if we continue to pollute and cause

problems for these children, we're ruining generations and generations of children.

And so I would -- I do implore that you stop this and keep this money for things that are needed in our area, not for a few individuals that come in for the short-term.

Thank you.

REGIONAL JUDICIAL OFFICER SUTIN: Thank you.

Robert Wide Mountain.

ROBERT WIDE MOUNTAIN: Good evening. I didn't know that I'd be talking this soon. I thought I signed up last. I know I've only got five minutes, so I'll try to keep it brief and to the point.

I'm glad that you -- whoever is doing this is holding this public forum so people can voice their opinions. Whether they are heard or not remains to be seen.

But I would like to voice mine. I feel that, you know, we -- my people have been stigmatized with a label, and they labeled us, you know, dumb, stupid, incompetent, and just drunk Indians. Said we are so dumb that we can't take care of ourselves. But you know, that's not true.

I know that no matter -- no matter which way you look at me, you know, it doesn't take a scientist or anybody with any kind of amount of common sense to understand that if you look around, you'll see that we only have so many amounts of freshwater supplies here in the world.

And it just seems so foolish to me -- even though I'm supposed to be dumb and stupid, it just seems so foolish to me that we would poison what little of the freshwater supplies that we do have.

And do we have -- we have a growing amount of people coming into this world, like right there. And it doesn't make sense to me, you know, that we would poison this water that we need to survive.

You know, we can survive without food, survive without almost anything, but we can't survive without water. Our bodies just need it. We are made up -- everybody knows we are made up with whatever percentage of water, and we need it.

And just, I -- I tried to understand, you know, both sides of this coin that we call

energy. And on one side, you have -- you know, you want to -- you want to make sure that there's national security for America, so we have enough energy so everybody could live the lifestyle that they have.

And I also found out that, you know, America only comprises of between 4 to 8 percent of the world population, but we use 96 percent of all the natural resources to live our lifestyle, and that's very disturbing to me.

Because if we keep at this rate, we are going to run out of not only, you know, water, but all kinds of other resources that we need to survive. So we really have to take a look at that.

I look at the test sites, you know, that leak. Just -- they are big, big holes. And I don't know, our people were taught that we don't go underneath the -- underneath the earth for anything.

To me, I think -- I look at the Bible, and you talk about the forbidden fruit. To me, I think what they are talking about is that we don't go and do -- touch things that we're not supposed to touch, which in that case was an

apple.

But I think it's more of we're not supposed to touch things that were created by God. That means that everything was given to us above land. We don't need to go underground because that's supposed to stay there. That is made in a certain way so that it could create life and sustain life.

But if we disturb that, and we create these holes that create poisons, like going into the aquifers, poisons our water systems, you know, we all lose.

It's not a matter of whose land or what land. It doesn't matter, you know. We just all lose. You know, I -- my sister showed me -- she has documentations of Pine Ridge already. The levels of uranium in their waters that they've been drinking for years is unbelievable. But it's supposedly safe.

Then I saw a commercial the other night on TV, and these guys were asking people to drink this good, clear water, but it had a small level of lead in it. You probably don't see that commercial.

And it looked pretty good, clean water, but

they said it has, you know, a safe amount of level of lead in this water. And everybody stepped back, you know. All the people in that commercial, they stepped back.

It was like the water would contaminate them if they even got close, much less drink it. But yet the people, my relatives at Pine Ridge have been drinking this water even worse than that in this commercial for years.

And then to poison it even more? You know, especially when we have so many alternative energies at our disposal. Like the Creator gave us everything above ground to survive, and we still have enough above ground to survive.

Oil companies, they just need to capitalize. If they want the money, make the wind generators, make the solar. We have so many alternative energies out there, that we don't need to destroy ourselves and our water supply by getting uranium, oil, all the other fossil fuels. We don't need to destroy ourselves. We don't need to destroy life. Just so a few people can have a bunch of money that they can't spend?

You know, we're going to destroy life

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because of this? When we have all this other -we have hemp oil. We have a guy in Germany
that's changing all them cars today that we
drive in to drive on hydrogen, you know. So the
cars we drive now can be pretty clean, you know.

So many things, you know. There's so many things that we could do as a people, you know. Because like I said, America uses 96 percent of all the natural resources to live the lifestyle that we have.

We have to take a look at that, I think, a very serious look, you know. Because if we run out of this water, that's it for all life. I don't mean human life, but animals, plants.

I work with kids back home. We have a high suicide rate. We have gardens and orchards and brought back life to these kids, you know. We finally got some water that's coming from the Missouri River. We finally -- after our elders, you know, our people have fought for water for -- since the '50s.

They said, when they built the Oahe Dam, it's going to be free electricity, free water. Never happened. Finally, all of a sudden, we get good water, gotta get pumped in.

Now we got the pipelines that are going to poison the water. We got uranium going to poison the water. We finally got some sort of quality of life to our people after we survived genocide and all the things that have happened to our people. I don't need to go into that one.

But it's like we survived all these things, and now we finally get some kind of quality of life, going to be taken away again. We have to think about this, I think. It's very important, very important. We don't need to destroy life.

There's enough energies out here to provide life for everybody for thousands of years, for -- you know, if we take care of our land that we destroyed, we have enough land to make more food.

It's all kinds of alternative things that we can do, you know, to sustain life. We don't have to kill life. You know, it's our place to control. It's up to us, with our God, our human needs, and we're all -- we all have to live.

(Speaking in indigenous tongue.)

REGIONAL JUDICIAL OFFICER SUTIN: Thank you.

So I still have Alan Stands, if you would

1	like to come up and speak. No? It's okay.
2	TONIA STANDS: Too shy.
3	REGIONAL JUDICIAL OFFICER SUTIN: I
4	understand.
5	Anyone else at this time? So we will
6	it's 6:15 [sic]. We will be here for a while.
7	And if you decide you'd like to speak, just let
8	someone know, and we'll open back up the
9	hearing.
10	So we'll go off the record for now.
11	(Pause in the proceeding from
12	7:15 p.m. to 7:27 p.m.)
13	REGIONAL JUDICIAL OFFICER SUTIN: Okay. So
14	we are going to go back on the record.
15	We have two younger folks who I think would
16	like to speak. Rowen and Sequoia, do you want
17	to come up and speak?
18	Do you want to come over here, so.
19	ROWEN BLANCHFLOWER: I think I'm good.
20	REGIONAL JUDICIAL OFFICER SUTIN: Yeah.
21	Okay.
22	REPORTER: No, I need the microphone.
23	REGIONAL JUDICIAL OFFICER SUTIN: Oh, she
24	needs to be able to hear what you're saying
25	because she's recording what you're going to

1 say. So if you can come over here so she can 2 hear what you're saying, that would be great. There you go. Do you want to use this? 3 4 Here you go. If you don't want to use it, that's fine, just talk really loud. Okay? 6 ROWEN and SEQUOIA BLANCHFLOWER: (Singing in 8 indigenous language.) REGIONAL JUDICIAL OFFICER SUTIN: Thank you. 9 10 I don't think we have any other speakers at 11 this time -- oh, we do? Did you fill out a 12 card? 13 Come on up. Go ahead, if you want to just 14 state your name. DUSTIN BROUGHT PLENTY: My name is Dustin 15 16 Brought Plenty. I'm from Standing Rock, Fort 17 Yates, North Dakota, Standing Rock Reservation. 18 I'd just like to be here to show my support for 19 the people here that have concerns here about 20 the uranium mining in this area. 21 Just like our concern about the pipeline 22 that was up there, just here to show support for 23 these people here that have all these concerns for this uranium mine. 24 25 Thank you.

1 REGIONAL JUDICIAL OFFICER SUTIN: Thank you. Anyone else? Okay. Well, we will go off 2 the record again. But if anyone decides they'd 3 like to speak, just let us know. 4 (Pause in the proceeding from 7:32 p.m. to 7:40 p.m.) 6 DOROTHY ROWLAND SUN BEAR: My name is 8 Dorothy Rowland Sun Bear. I'm from Wounded 9 Knee, South Dakota, on the Pine Ridge Indian 10 Reservation. And I know that the uranium is in 11 our waters and that really concerns me, because 12 I know about the horses that died. And I'd like to know if -- oh, I know that 13 you are in violation of international law for 14 15 violating the treaty. And the treaty, it says 16 you've got to get three-fourths male referendum 17 vote from the Great Sioux Nation to dig a hole 18 anywhere on our land. 19 You've never, ever done that. That's a 20 violation of international law. That's why I'm 21 asking, you know, why are you guys doing that? 22 A treaty is supreme law of the land they 23 tell us. For who? Because this is our land, and you're constantly stealing our natural 24

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resources.

1 We see the coal being stolen every day, now the uranium. Leave the -- leave the natural 2 3 resources alone. Leave it in the ground where it belongs. You're killing Mother Earth. 4 Thank you. REGIONAL JUDICIAL OFFICER SUTIN: Thank you. 6 MS. HALL: Are we going off the record? 8 REGIONAL JUDICIAL OFFICER SUTIN: Yes, we 9 are going back off the record. 10 (Pause in the proceeding from 11 7:42 p.m. to 8:00 p.m.) 12 REGIONAL JUDICIAL OFFICER SUTIN: We're back on the record. 13 14 And please state your name and go ahead. SCOTT KILE: My name is Scott Kile. I live 15 16 west of Crawford, Nebraska. And it's been 17 brought up to me that the idea of cleaning up 18 the water back to its original state is the plan 19 for this in-situ leach mine. 20 I live ten miles from the Crow Butte in-situ 21 leach mine, which I believe was originally given 22 a 20-year lease. Then they get a 10-year 23 temporary lease. They've had plenty of time to try to clean 24 25 that aguifer back up, and I don't believe it has been done or there is any intention of it being done.

And I would think that before a new permit is given to exempt an aquifer, these companies should prove that they can put that water back the way it was. And if they can't do it, then they shouldn't be given an exemption.

That's my opinion. I think it should be upheld ahead of time rather than wait until afterwards and we find out it can't be done.

That's protecting our environment and our water.

And something else, as for the water that can't be used later on that they want to inject in a lower area of the earth, that just reminds me of Oklahoma. That is fracking. That is high-pressure water going to lower levels that cause earthquakes.

And that is hiding their mess. Because in there, in that water, is minerals that they do not want to deal with, so they want to hide it somewhere. And that's part of extracting it.

And when they do this mining, this in-situ leach mining, they take out what they want, and they dump the crap back in there, the bad minerals. And that's what's going to happen.

1 And it shouldn't be allowed in our state or 2 anywhere else. So hopefully they can clean up the water and prove it to us before anything is 3 decided. 4 5 Thank you. REGIONAL JUDICIAL OFFICER SUTIN: Thank you. 6 We'll go back off the record. 8 (Pause in the proceeding from 9 8:01 p.m. to 8:02 p.m.) REGIONAL JUDICIAL OFFICER SUTIN: We'll go 10 11 back on the record. NANCY KILE: I'm Nancy Kile. 12 I'm from Sioux 13 County, Nebraska. I spoke earlier, but I wanted to talk a little bit about the language that 14 gets used for this industry and their talk about 15 16 recovery, uranium recovery. 17 We have people in my town, rural people who 18 are saying, "We should be glad that they're 19 taking that bad stuff out of the soils." And --20 and what they're doing is fracking, but they call it in-situ leach. 21 It's all solution mining using water as a 22 23 tool. And they are stripping the minerals off of the sand, and they are leaving the bad stuff, 24 25 like Scott was mentioning earlier.

1 We have this political idea that we have private property rights and we have local 2 control. But we have landowners turning over 3 our land-use decisions to EPA, to NRC, to the 4 state, who is, in our case, in Lincoln. And you know, these are all land-use decisions being 6 taken out of local control. 8 And like Ms. Colombe said earlier, from the Sicangu, we don't have cancer care units close 9 10 by us. We don't have infrastructures to take 11 care of these kind of operations, cleanups. 12 They are going to cut and run, and we won't have cancer care if we don't start fighting for 13 14 ourselves and make our elected officials fight 15 for us, too. 16 Thank you for having this public forum. Ι 17 didn't thank you earlier, but I appreciate it. 18 It's helpful. REGIONAL JUDICIAL OFFICER SUTIN: Thank you. 19 20 Would anybody else like to speak? 21 (No responses.) 22 REGIONAL JUDICIAL OFFICER SUTIN: Okay. Go 23 off the record again. (Pause in the proceeding from 24 25 8:04 p.m. to 8:34 p.m.)

REGIONAL JUDICIAL OFFICER SUTIN: So, folks, we're going to -- it's officially time for the hearing to close, and I need to do that. You're welcome, assuming it's okay with the hotel, to stay and visit and talk, but we have to close out the hearing. So, thank you all for coming and participating in this process. The hearing is now closed. (Proceeding was concluded at 8:35 p.m.)

1	CERTIFICATE
2	
3	STATE OF SOUTH DAKOTA }
4	<pre></pre>
5	
6	I, Jacqueline K. Perli, Registered Professional
7	Reporter, do hereby certify that said proceedings were taken by me stenographically and thereafter reduced to typewriting under my supervision; that the foregoing
8	is a true and accurate record of the proceeding to the best of my understanding and ability.
9	I further certify that I am neither counsel for,
10	related to, nor an employee of any of the parties to this case and have no interest, financial or
11	otherwise, in its outcome.
12	
13	Dated this 25th day of May, 2017.
14	/s/ Jacqueline K. Perli
15	Registered Professional Reporter Black Hills Reporting
16	1601 Mt. Rushmore Rd., Ste. 3280
17	Rapid City, SD 57701 605.721.2600
18	Notary Public My commission expires: May 9, 2019
19	
20	
21	
22	
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24	
25	

```
1
      < Dates >.
      April 27, 2017 1:7.
 2
      July 1, 2003 13:8.
      March 31, 2006 13:9.
      March 6, 2017 3:4.
 3
      May 19, 2017 3:19.
 4
      May 19th 6:25, 10:2.
      May 8th 3:22.
 5
      May 9, 2019 67:33.
      May, 2017 67:24.
 6
      $1 18:8.
      $105 18:7.
 7
      /s/ 67:25.
 8
      < 1 >.
      1.7 20:19, 21:17.
 9
      10 24:21.
10
      10-year 62:22.
      106 15:11, 30:13.
11
      10th 3:24.
      11th 3:25.
12
      15 44:19.
      1601 67:29.
      1851 17:18, 18:10, 26:4, 26:6.
13
      1868 17:18.
14
      1877. 17:21.
      1940s 13:1.
      1980 18:4.
15
      1992 26:1.
16
17
      < 2 >.
      2.5 20:19, 21:17.
18
      20 1:11, 40:6.
      20- 12:23.
19
      20-year 46:2, 62:22.
      2004 12:23, 13:2.
20
      2005 12:23.
      2012 12:18.
21
      25 44:19.
      25th 67:24.
22
      26 12:20.
23
      < 3 >.
24
      3,000 31:14.
      30-day 9:23.
25
      30-foot 36:23.
      3280 67:29.
```

```
1
 2
      < 4 >.
      4 54:7.
 3
      40 34:21.
      4:00 1:8.
 4
 5
      < 5 >.
      50s 57:21.
 6
      57701 67:30.
      5:00 4:10.
 7
      5:49 34:13.
      5:51 34:13.
 8
 9
      < 6 >.
      605.721.2600 67:31.
10
      69201 1:12.
      6:00 4:11, 34:7, 41:8.
      6:00. 34:6.
11
      6:15 59:6.
12
      6:30 34:8.
      6:30. 4:11.
13
      6:46 41:9.
14
      < 7 >.
15
      7.5 20:20.
      7:15 59:12.
16
      7:27 59:12.
      7:32 61:6.
17
      7:40 61:6.
      7:42 62:11.
18
19
      < 8 >.
      8 54:7.
20
      8,000 13:23.
      803 1:11.
21
      8:00 62:11.
      8:01 64:9.
22
      8:02 64:9.
      8:04 65:25.
23
      8:30 4:11.
      8:34 65:25.
24
      8:35 1:8, 66:9.
25
      < 9 >.
```

```
1
      90 22:13, 51:7, 51:13.
      96 54:8, 57:8.
 2
      9th 3:22.
      [sic] 59:6.
 3
 4
      < A >.
      ability 67:16.
 5
      able 39:23, 51:24, 59:24.
      abolish 28:14.
      above 55:4, 56:13, 56:14.
 6
      accept 12:10.
 7
      accepting 23:4.
      Access 28:8.
 8
      accountable 16:10.
      accurate 67:15.
 9
      ACQUIFER 1:4.
      across 40:11.
      act 31:19.
10
      action 6:7, 6:23, 15:24.
11
      activities 3:7.
      add 32:4.
12
      addition 2:7, 3:20.
      additional 7:4, 41:5.
13
      address 26:1.
      addresses 4:3.
14
      addressing 8:24.
      adequate 31:1, 31:15.
15
      adjacent 13:20.
      administrations 23:3.
16
      admit 7:22.
      advantaged 14:22.
17
      advantages 14:21.
      Affairs 2:24.
18
      affect 26:24.
      affecting 32:11.
19
      afternoon 2:2, 28:25, 29:2.
      afterwards 63:10.
20
      Agency 2:4.
      agreement 18:20.
      ahead 9:3, 60:13, 62:14, 63:9.
21
      air 11:1, 17:14, 36:8.
22
      Alan 43:21, 49:10, 49:11, 49:12, 58:25.
      alive 26:19, 27:3.
23
      allow 5:6, 22:23, 42:13.
      allowed 15:19, 64:1.
24
      allowing 23:22, 24:14.
      allows 10:15, 16:12.
25
      almost 40:1, 53:19.
      alone 62:3.
```

```
1
      already 2:8, 21:19, 55:16.
      alternative 56:11, 56:18, 58:18.
      America 54:3, 54:6, 57:8.
 2
      Americans 29:12, 29:13.
 3
      amount 53:3, 53:13, 56:1.
      amounts 53:6.
 4
      Analysis 10:24, 10:25.
      ancestral 17:9, 17:11, 18:21, 24:5.
      ANDREW 41:25, 42:2, 43:5.
 5
      Angostura 46:23, 46:24.
 6
      animals 27:4, 40:13, 51:3, 57:14.
      annually 21:5.
 7
      answer 35:12.
      answering 5:21.
 8
      Antoine 28:23, 28:25, 29:2.
      anybody 45:4, 53:3, 65:20.
      anytime 28:3, 37:11.
 9
      anyway 40:23.
      apologize 8:4, 16:22.
10
      apple 55:1.
      application 9:8, 17:6, 18:22.
11
      applications 18:23, 19:24.
      appreciate 7:8, 8:5, 11:24, 65:17.
12
      approval 3:15.
13
      aquifer 3:14, 3:18, 5:19, 8:1, 8:2, 25:4, 25:7, 36:13,
        47:1, 62:25, 63:4.
14
      aquifers 8:10, 8:22, 8:23, 17:10, 20:2, 24:24, 45:6,
        45:8, 47:3, 47:23, 48:22, 55:11.
15
      aquifers. 45:14.
      Area 3:5, 3:10, 3:11, 3:16, 3:18, 12:25, 13:15, 13:20,
16
        14:14, 29:21, 29:23, 30:3, 30:22, 32:10, 44:25,
        47:2, 49:17, 49:21, 52:5, 60:20, 63:14.
17
      areas 7:20, 18:15, 21:3, 25:14, 29:22.
      around 25:14, 35:14, 44:23, 48:11, 49:21, 53:5.
18
      Article 26:7.
      aside 9:6.
19
      assist 2:9.
      associated 13:13.
20
      assume 13:11.
      assuming 66:4.
21
      assured 5:24.
      Atomic 15:17.
22
      attend 11:18.
      attending 7:15.
      attention 27:9.
23
      Authority 26:11.
24
      autism 35:16.
      available 6:3, 6:9, 6:12.
25
      awarded 18:6.
      away 21:11, 27:18, 27:25, 39:20, 47:25, 48:5, 50:20,
```

```
1
        58:10.
 2
      < B >.
 3
      baby 45:10.
      back 2:14, 2:22, 5:6, 27:17, 34:8, 34:16, 38:15,
 4
        39:24, 41:14, 47:17, 49:12, 51:12, 56:3, 56:4,
        57:15, 57:17, 59:8, 59:14, 62:9, 62:12, 62:18,
        62:25, 63:5, 63:24, 64:7, 64:11.
 5
      back-and-forth 5:13.
 6
      backyard 40:17.
      bad 36:25, 50:1, 50:17, 63:24, 64:19, 64:24.
 7
      balance 19:3.
      bands 20:18.
 8
      banner 45:13.
      Basin 15:22.
 9
      basis 5:11.
      Bear 19:8, 19:10, 19:11, 19:23, 38:18, 61:7, 61:8.
10
      became 38:25.
      becomes 40:3.
      begging 21:23.
11
      begin 4:15, 37:16.
      behalf 17:2, 19:17, 20:7, 25:23, 34:24.
12
      behind 18:18.
13
      beholden 42:13.
      belief 22:18.
14
      beliefs 22:11.
      believe 15:21, 20:2, 22:12, 39:19, 40:7, 62:21,
15
        62:25.
      belong 19:12, 22:19.
16
      belongs 62:4.
      below 31:14.
17
      berries 49:6.
      Best 3:23, 67:16.
18
      beyond 15:20.
      Bible 54:21.
19
      big 36:23, 54:17.
      bigoted 18:19.
20
      billion 18:8, 20:20.
      birthplace 29:18.
      bit 4:8, 34:23, 64:14.
21
      Black 12:20, 17:7, 17:16, 18:6, 18:17, 18:23, 22:2,
22
        22:3, 22:18, 22:25, 24:1, 24:5, 27:13, 29:17, 30:20,
        32:10, 38:24, 43:13, 47:7, 48:7, 48:17, 67:28.
      black-and-white 35:18.
23
      BLANCHFLOWER 42:1, 42:2, 43:5, 59:19, 60:7.
24
      Board 15:18.
      boast 14:22.
25
      bodies 53:20.
      body 22:13, 42:12.
```

```
1
      bombs 42:9.
      borders 14:19.
 2
      born 12:19, 22:15, 34:20.
      bound 26:13.
 3
      boy 38:15, 38:16.
      Brazil 49:25.
 4
      breached 17:20.
      break 4:11, 31:11, 34:8, 34:17, 41:4.
 5
      breaks 44:2.
      Brewer 23:6.
 6
      brief 52:13.
      bring 30:18, 48:16.
 7
      bringing 47:1.
      broken 17:21.
 8
      Brought 57:17, 60:15, 60:16, 62:17.
      Bryan 23:6.
9
      bubbles 44:14.
      buffaloberries 49:6, 50:11.
10
      build 15:15.
      built 57:22.
11
      bunch 56:23.
      burial 23:23.
12
      Butte 8:7, 12:15, 12:21, 13:5, 45:2, 45:25, 48:12,
        62:20.
13
14
      < C >.
      cake 49:8.
      California 39:11, 39:12.
15
      Call 4:12, 12:5, 26:25, 27:9, 27:11, 27:13, 32:20,
16
        39:25, 53:25, 64:21.
      called 45:18.
17
      calling 51:8.
      Cameco 12:15.
18
      Camp 35:6.
      campsites 23:25.
19
      cancer 13:2, 13:11, 23:19, 37:16, 37:18, 37:19, 40:7,
        65:9, 65:13.
20
      capacities 9:20.
      capitalize 56:15.
21
      card 4:13, 41:15, 60:12.
      care 14:16, 35:10, 35:11, 37:18, 52:24, 58:15, 65:9,
22
        65:11, 65:13.
      careful 23:16.
23
      cares 46:8.
      caring 12:24.
24
      carries 12:4.
      carry 22:14, 51:15.
      cars 57:3, 57:5.
25
      case 32:11, 54:25, 65:5, 67:20.
```

```
1
      casino 36:24.
      catastrophe 39:7.
 2
      catch 13:18.
      Catholic 4:1.
 3
      cause 17:8, 51:25, 63:17.
      causing 13:11.
 4
      Cave 47:13, 47:22.
      caves 47:23.
 5
      CBR 13:23.
      Center 3:25, 27:10, 27:12, 27:14, 47:7.
 6
      ceremonial 23:24, 24:4.
      certain 55:7.
 7
      certainly 10:13.
      certify 67:12, 67:18.
 8
      chairing 2:7.
      chance 5:4, 19:14.
 9
      change 39:8.
      changed 16:11.
10
      changing 57:3.
      charged 36:7, 37:13.
11
      CHARLES 32:17, 32:20.
      Charlie 32:17, 32:18, 32:19.
12
      chartered 25:25.
      Chauncey 49:13, 49:14.
13
      cheaters 39:1.
      cheating 39:2.
14
      cheerleader 25:9.
      cherished 17:15.
15
      Cheyenne 46:20.
      Chief 11:12, 38:17.
16
      child 22:14.
      children 34:24, 35:10, 36:12, 51:18, 51:21, 52:1,
17
        52:2.
      chokecherries 49:6, 50:11.
18
      Chris 32:16.
      Christians 47:5.
19
      Church 4:1.
      citizens 7:23, 11:18.
      City 3:22, 10:4, 15:2, 67:30.
20
      clarifying 5:10.
21
      Class 3:9, 3:11, 3:16.
      Clay 44:3.
      clean 29:9, 32:12, 37:2, 37:13, 38:1, 46:11, 51:1,
22
        55:25, 57:5, 62:24, 64:2.
23
      cleaning 62:17.
      cleanup 49:20.
24
      cleanups 65:11.
      clear 5:22, 15:18, 18:20, 55:22.
25
      clearly 30:15.
      clinic 37:18.
```

```
1
      clinics 37:20.
      close 7:20, 56:6, 65:9, 66:3, 66:5.
      closed 35:6, 66:8.
 2
      coal 62:1.
 3
      Coast 39:15.
      code 46:4.
 4
      coin 53:25.
      collaborate 10:17.
 5
      collects 6:6.
      Colombe 34:18, 34:19, 34:20, 65:8.
 6
      color 37:5.
      Colorado 2:5.
 7
      comes 39:6, 40:2.
      coming 2:6, 8:5, 27:20, 32:9, 33:2, 33:10, 39:5,
 8
        39:14, 44:21, 46:20, 51:21, 51:23, 53:14, 57:18,
9
      comment 3:19, 9:4, 9:10, 9:22, 9:23, 9:24, 10:1,
        10:21, 11:4, 33:9.
      comments 3:17, 5:7, 5:14, 5:17, 5:18, 5:24, 6:8, 6:18,
10
        6:24, 7:1, 7:13, 8:19, 8:20, 9:11, 11:5, 12:10,
11
        32:22, 34:1, 34:3, 34:6, 41:17.
      commercial 55:20, 55:24, 56:4, 56:9.
12
      Commission 15:17, 67:33.
      commitment 18:1.
13
      common 53:4.
      Communication 2:25.
14
      communities 37:7, 37:17, 37:25, 46:22.
      community 15:23, 37:6, 37:12.
15
      companies 56:15, 63:4.
      complete 4:22.
16
      completed 15:13.
      completely 42:8, 43:1.
17
      comply 30:12.
      comprises 54:7.
18
      concern 17:15, 60:21.
      concerns 8:10, 60:19, 60:23, 61:11.
19
      concluded 66:9.
      conduct 32:1.
      Congress 17:20, 18:18, 31:19.
20
      connected 27:2.
21
      connection 3:15, 28:19.
      consent 14:15.
22
      consider 5:16, 9:11, 31:17.
      considered 5:25, 6:7, 7:13, 31:24.
23
      considering 10:11.
      consolidated 14:5.
24
      constantly 61:24.
      constellations 24:2.
25
      Constitution 26:7, 26:8, 26:14.
      consult 24:11.
```

```
1
      consultation 11:3, 15:11, 21:9, 21:10, 30:8, 30:11,
        30:16.
 2
      consultations 18:3, 29:24, 32:2.
      consulting 7:21.
 3
      contained 24:24.
      contaminate 16:13, 17:13, 45:5, 56:5.
 4
      contaminated 20:25, 21:19, 23:18, 37:16.
      contaminating 46:17.
      contamination 13:13, 13:15, 13:19, 20:1, 23:11, 37:24,
 5
        44:4, 45:22.
      continue 10:17, 51:25.
 6
      contrary 26:15.
 7
      contribute 15:21.
      Control 1:3, 3:5, 8:11, 58:21, 65:3, 65:7.
 8
      copies 6:14.
      copy 6:11, 6:15.
 9
      corporation 42:7.
      corporations 21:19.
10
      correct 19:9.
      costly 15:1.
11
      coun- 51:10.
      Council 25:25.
12
      councilman 51:11.
      counsel 67:18.
13
      countries 50:7, 51:5.
      country 50:9.
14
      COUNTY 12:12, 14:1, 16:7, 64:13, 67:7.
      couple 32:22, 35:5.
15
      Court 5:25, 11:9, 18:4.
      cover-up 14:12.
16
      covered 23:19.
      covers 11:25.
      Crane 38:6, 38:7, 38:9, 41:3.
17
      crap 63:24.
18
      Crawford 12:16, 12:24, 12:25, 13:2, 13:10, 13:17,
        13:21, 14:1, 14:24, 24:20, 62:16.
      crazy 46:6, 48:11, 48:12, 48:15.
19
      create 23:11, 55:7, 55:9, 55:10.
20
      created 55:3.
      creation 29:18.
21
      Creator 19:2, 56:12.
      Creek 39:24, 39:25, 44:3.
22
      creeks 48:18.
      criminal 25:4, 25:5.
23
      critical 14:3.
      crops 13:19.
24
      Crow 8:7, 12:15, 12:21, 13:5, 45:1, 45:25, 48:12,
        62:20.
25
      cultural 15:10, 17:10, 18:24, 21:6, 30:3, 42:25,
        48:14.
```

```
1
      culturally 29:21, 30:4.
      Cumulative 10:24.
 2
      currently 18:8, 42:21.
      cut 65:12.
 3
 4
      < D >.
      D. 25:18.
 5
      dad 46:21.
      DAKOTA 3:8, 3:23, 3:24, 4:1, 7:18, 12:20, 14:19, 28:8,
        29:6, 42:22, 44:1, 50:15, 50:21, 60:17, 61:9, 67:5.
 6
      dam 46:24, 57:22.
 7
      damage 17:9.
      damages 18:7.
      DANIEL 19:8, 19:10, 19:11, 19:23.
 8
      DARLA 22:2, 22:3.
9
      Dated 67:24.
      daughter 38:17.
10
      Dawes 14:1.
      day 35:12, 39:10, 62:1, 67:24.
11
      days 10:3, 35:5, 39:18, 42:15, 51:8.
      dead 44:19.
12
      deal 42:11, 44:4, 44:18, 63:20.
      decide 41:13, 59:7.
13
      decided 11:22, 64:4.
      decides 61:3.
14
      decision 9:12, 21:15.
      Decision-makers 15:23.
      decisions 25:13, 36:14, 65:4, 65:6.
15
      Declaration 18:1.
16
      declining 15:3.
      deep 3:12, 13:25, 17:23.
17
      deeper 26:18, 37:23.
      deepest 14:2.
18
      deer 44:13, 50:14, 50:16.
      defined 30:8, 30:9.
19
      defines 30:15.
      demolished 38:23.
      denial 15:24, 19:25.
20
      denied 20:8, 51:6.
21
      Denver 2:5, 6:11.
      deny 21:24.
22
      department 11:14.
      departments 31:21, 31:23.
23
      dependent 13:14.
      depending 32:4, 36:13.
24
      depth 31:7.
      desecrate 23:23.
25
      Destiny 18:19.
      destroy 17:10, 27:23, 56:19, 56:21, 56:22, 56:25,
```

```
1
        58:12.
      destroyed 58:16.
 2
      destroying 27:25, 29:20, 49:1, 50:1, 50:24.
      detail 4:6.
 3
      detailed 31:8.
      determination 5:19, 7:14.
 4
      determine 30:4.
      determined 31:6.
      detrimental 24:7.
 5
      developed 8:16, 10:23, 17:8.
 6
      development 8:10, 14:16.
      Dewey-burdock 1:2, 7:17, 8:3, 15:10, 17:5, 18:22,
 7
        30:22, 32:11, 46:13.
      diagnosed 13:1.
 8
      die 13:10, 25:8.
      died 13:2, 61:12.
      difference 33:12, 42:4.
9
      different 10:3, 23:3, 31:23.
      dig 61:17.
10
      dilapidating 14:24.
11
      direct 42:18.
      direction 28:2.
12
      directly 6:25, 8:24.
      disaster 37:11.
13
      discussion 5:13.
      disposal 3:12, 8:14, 13:25, 14:2, 17:6, 56:12.
14
      distance 12:13.
      distributed 31:5.
      disturb 55:9.
15
      disturbing 54:10.
      docket 6:5, 6:6, 6:9, 6:13, 6:22, 6:25.
16
      document 11:3, 23:9.
17
      documentation 6:19.
      documentations 55:16.
18
      documented 13:5, 31:1.
      documents 8:16, 8:19, 10:23, 11:6.
19
      doing 22:24, 31:24, 33:17, 33:24, 42:17, 46:4, 52:15,
        61:21, 64:20.
      done 43:18, 43:19, 61:19, 63:1, 63:2, 63:10.
20
      Dorothy 61:7, 61:8.
21
      Douglas 2:15, 2:16, 2:20, 2:23.
      down 7:11, 13:18, 28:3, 47:14, 47:23, 48:3.
22
      downstream 25:1, 25:14.
      Draft 1:3, 3:4, 3:9, 3:15, 9:2, 9:9, 9:13, 11:7.
23
      drill 23:18.
      drink 23:20, 36:15, 39:24, 40:4, 55:21, 56:6.
24
      drinkable 20:19, 21:18.
      drinking 13:7, 13:22, 55:18, 56:8.
25
      drive 57:4, 57:5.
      drop 44:18.
```

```
1
      drunk 52:23.
      due 13:19, 15:3.
      dumb 52:22, 52:23, 53:9.
 2
      dump 15:8, 16:8, 63:24.
 3
      During 5:14, 5:17, 5:21, 13:4.
      Dustin 60:15.
 4
      dye 48:18.
 5
      < E > .
 6
      e-mails 51:9, 51:10.
      Eagle 25:18, 25:20, 25:22.
 7
      earlier 64:13, 64:25, 65:8, 65:17.
      early 11:23, 13:1, 13:10.
      Earth 26:25, 27:19, 27:23, 28:19, 31:15, 36:2, 38:24,
 8
        54:19, 62:4, 63:14.
9
      earthquake 39:13.
      earthquakes 63:17.
      eat 13:17, 44:11, 48:2, 49:5, 50:19.
10
      ecocide 18:13.
      economic 14:8, 14:20, 15:4.
11
      economically 14:22.
12
      ecosystem 48:6.
      Edgemont 3:8, 3:25, 7:18, 49:16.
13
      edible 50:22.
      effective 27:5.
14
      Effects 10:25, 20:25, 37:25.
      effort 7:8.
15
      elders 57:19.
      elected 14:7, 22:7, 65:14.
16
      electricity 57:23.
      elements 27:8.
      elites 14:8.
17
      Elyana 2:2.
18
      employee 67:19.
      encompassing 18:20.
19
      end 5:3, 10:18, 49:17.
      ending 40:22.
      energies 56:12, 56:18, 58:13.
20
      energy 27:21, 27:24, 54:1, 54:4.
21
      engage 5:12.
      enough 12:4, 25:5, 54:4, 56:14, 58:13, 58:16.
22
      ensure 2:10.
      entered 6:22.
      environment 26:24, 28:1, 28:18, 29:15, 63:11.
23
      Environmental 2:4, 10:24, 28:16, 31:23, 37:11, 42:12.
24
      environmentalists 29:8.
      environs 15:25.
25
      EPA 2:4, 2:9, 2:18, 3:3, 3:4, 3:14, 4:4, 6:6, 6:11,
        8:11, 9:5, 9:17, 18:22, 21:20, 25:6, 25:9, 26:22,
```

```
1
        28:5, 28:13, 28:14, 28:16, 29:10, 29:13, 30:12,
        31:22, 32:23, 33:5, 42:15, 46:10, 65:4.
 2
      equipped 38:1.
      especially 34:24, 45:15, 56:11.
 3
      estate 14:9.
      ethical 14:15.
 4
      evacuation 15:4.
      evaporation 45:24, 48:21.
 5
      evening 5:24, 34:19, 38:7, 38:8, 52:10.
      eventually 31:10, 39:18.
      everybody 37:20, 53:21, 54:4, 56:2, 58:14.
 6
      Everyone 2:2, 2:10, 4:16, 5:3, 7:6, 39:15, 51:8.
 7
      Everything 11:25, 27:3, 27:4, 35:13, 36:5, 36:11,
        47:8, 55:4, 56:13.
 8
      evidence 46:18.
      excited 39:15.
9
      excursions 46:1.
      exempt 25:4, 63:4.
      exempting 24:23, 25:6.
10
      EXEMPTION 1:4, 3:15, 3:18, 5:19, 63:7.
11
      exemptions 16:14.
      expect 11:15, 25:12.
12
      Expert 14:7.
      expires 67:33.
13
      explain 4:5, 4:8, 5:11, 8:17, 9:18, 22:23.
      explained 36:4.
14
      exploited 15:25.
      extend 8:3.
15
      extended 10:1, 17:3.
      extract 20:6.
16
      extracting 63:21.
      extraction 16:2.
17
18
      < F >.
      facility 8:7.
19
      fact 8:17, 24:25.
      failed 14:1.
20
      fair 4:16.
      fall 8:21.
21
      families 37:19.
      family 17:3, 17:4, 44:15.
22
      far 34:4, 48:9.
      farmer 13:18.
23
      Federal 17:19, 18:5, 18:9.
      feeding 50:21.
      feel 10:5, 11:17, 25:1, 33:17, 52:19.
24
      feels 14:11.
25
      feet 31:14.
      felt 36:24.
```

```
1
      few 32:9, 52:5, 56:22.
      field 13:19.
 2
      fight 65:14.
      fighting 51:14, 65:13.
 3
      figure 18:8.
      fill 41:15, 60:11.
 4
      filled 4:13.
      final 5:18, 7:14, 9:12.
 5
      Finally 36:16, 57:18, 57:19, 57:24, 58:3, 58:9.
      financial 67:20.
      find 4:24, 10:7, 10:10, 11:22, 33:22, 63:10.
 6
      fine 60:5.
 7
      finish 5:6, 5:8, 41:23.
      First 2:14, 7:5, 9:1, 12:1, 12:8, 15:12, 22:5, 26:4,
 8
        34:18, 38:23, 46:21.
      fish 13:16, 23:13, 44:11, 44:12, 44:13, 47:20.
9
      five 4:17, 4:19, 5:5, 16:6, 40:24, 41:19, 41:22, 47:2,
        47:3, 52:13.
10
      five-year 46:2, 46:4.
      flows 24:9.
      fluff 12:22.
11
      fluids 3:13, 8:15.
12
      focus 11:7.
      folks 2:13, 34:17, 36:20, 59:15, 66:1.
13
      follow 9:7, 24:2, 24:3, 33:8.
      followed 33:5.
14
      following 9:14, 9:18.
      food 49:5, 50:18, 50:20, 50:21, 53:18, 58:17.
15
      foolish 53:8, 53:10.
      forbidden 54:22.
16
      foregoing 67:14.
      foreign 50:7, 51:5.
17
      forget 47:11, 47:12.
      formal 12:10, 14:4, 15:11, 30:16.
18
      former 23:6.
      Fort 17:18, 18:10, 60:16.
19
      forthcoming 23:9.
      forum 52:16, 65:16.
20
      forward 51:21.
      fossil 27:19, 56:20.
21
      fought 57:20.
      found 7:2, 54:6.
      four 3:20, 10:2, 39:18.
22
      fracking 63:15, 64:20.
23
      free 36:1, 57:23.
      freshwater 53:6, 53:11.
24
      front 6:1.
      fruit 54:22.
25
      fuels 27:19, 56:21.
      full 30:3, 31:7, 46:24.
```

```
1
      fully 30:23.
      functioning 15:2.
 2
      funding 14:24.
      future 15:8, 18:23, 21:13, 25:23, 32:4, 35:11, 38:20,
 3
        39:4.
 4
      < G >.
 5
      garden 15:20.
      gardens 57:16.
 6
      gas 16:3.
      gateway 16:8.
 7
      gather 18:11.
      gave 56:12.
 8
      general 9:15.
      generations 17:22, 21:16, 25:23, 32:4, 52:2.
 9
      generators 56:17.
      genocide 18:13, 46:9, 58:5.
10
      Germany 57:2.
      gets 64:15.
11
      getting 45:7, 56:20.
      gift 36:5.
12
      girl 51:10.
      give 6:15, 19:20, 41:16, 45:9, 50:17.
13
      given 5:5, 22:19, 23:2, 47:15, 55:4, 62:21, 63:4,
        63:7.
14
      gives 33:15, 40:12.
      giving 14:25, 41:18.
15
      glad 52:15, 64:18.
      Glen 15:15.
16
      God 35:20, 35:22, 36:5, 48:24, 55:3, 58:21.
      gotta 57:25.
      government 17:20, 17:23, 18:5, 42:16.
17
      government-to-government 22:22.
18
      grandchildren 49:22.
      grandmother 29:5.
19
      graves 17:11.
      Great 36:23, 60:2, 61:17.
20
      great-grandchildren 51:15.
      great-grandmother 38:16.
21
      greater 49:7.
      greedy 38:25.
22
      greet 22:5.
      grew 48:4.
23
      ground 33:13, 56:13, 56:14, 62:3.
      grounds 23:24.
24
      groundwater 11:1, 16:13, 20:20, 21:18.
      groups 14:8.
25
      grow 47:10, 48:3.
      growing 29:7, 53:13.
```

```
1
      growth 14:8.
      quarantee 51:20.
      guess 38:14, 40:22.
 2
      guy 57:2.
 3
      guys 19:20, 20:6, 33:7, 36:25, 55:21, 61:21.
 4
      < H >.
 5
      half 13:8, 41:4.
      half-hour 4:11.
      half-life 33:10, 33:11, 33:15.
 6
      HALL 3:1, 62:7.
 7
      hand 2:15, 4:25, 7:16.
      hang 45:12.
 8
      happen 21:1, 28:15, 42:14, 44:23, 63:25.
      happened 57:24, 58:5.
 9
      happening 16:3, 44:6, 46:9, 46:12.
      happy 8:8, 34:5, 41:16.
      hard 6:10, 19:8.
10
      harm 23:12.
11
      Haukaas 16:18, 16:20, 16:21, 16:23, 16:25.
      hazards 25:2.
12
      head 38:13, 44:19, 44:20.
      heading 27:19.
13
      headwaters 12:14, 15:16.
      health 15:3, 29:14.
14
      healthy 23:21, 32:13.
      hear 8:8, 24:22, 26:17, 27:6, 34:6, 59:24, 60:2.
      heard 12:21, 51:12, 52:17.
15
      HEARING 1:1, 2:7, 2:10, 3:20, 4:8, 5:14, 5:15, 5:17,
16
        5:23, 6:12, 7:19, 7:24, 9:24, 10:10, 10:13, 11:16,
        11:19, 12:11, 15:18, 59:9, 66:3, 66:6, 66:8.
17
      hearings 3:21, 10:3, 10:14.
      heartbreaking 15:5.
18
      heavy 13:12.
      held 3:21.
19
      Hello 19:11.
      help 10:21, 15:23, 35:20, 35:22.
20
      helpful 6:16, 8:23, 65:18.
      helping 11:13.
21
      hemp 57:2.
      hereby 67:12.
22
      hide 39:17, 63:20.
      hiding 63:18.
      High 16:2, 38:6, 38:7, 38:9, 40:8, 41:3, 57:15.
23
      high-functioning 35:17.
24
      high-poverty 15:2.
      high-pressure 63:16.
25
      highly 17:14.
      Highway 1:11.
```

```
Hills 12:20, 17:7, 17:16, 18:6, 18:17, 18:24, 22:18,
1
        22:25, 24:1, 24:5, 27:13, 29:17, 30:20, 32:10,
        38:24, 43:13, 47:7, 48:7, 48:17, 67:28.
 2
      Historic 15:12, 30:13.
 3
      Historical 17:11, 18:13, 18:24, 22:17, 30:3.
      historically 23:2.
      history 46:2, 47:9.
 4
      hit 39:19.
 5
      hocoka 27:11, 27:14.
      hold 41:20, 41:22.
 6
      holding 42:2, 52:16.
      hole 61:17.
 7
      holes 23:18, 44:8, 54:17, 55:10.
      Hollow 38:17.
 8
      home 12:13, 23:15, 47:16, 47:17, 47:21, 57:15.
      homelands 17:9.
9
      honor 31:18.
      hope 10:18, 19:7, 25:15, 28:14, 43:1.
10
      hopefully 64:2.
      Horn 38:17.
11
      horses 44:18, 61:12.
      Hot 3:24, 44:9.
12
      Hotel 3:23, 66:4.
      hour 40:25, 41:4.
13
      hours 37:19.
      human 14:15, 14:16, 20:23, 29:14, 57:14, 58:21.
14
      Hunkpapa 20:17.
      hunt 23:12.
15
      hunting 50:16.
      hurt 27:18.
16
      husband 15:14.
      hydrogen 57:4.
17
18
      < I >.
      idea 33:15, 62:17, 65:1.
19
      ideas 10:16, 10:20.
      identification 15:9.
      III 3:9, 3:16.
20
      Iktomi 39:1.
21
      ill 12:24.
      imagine 47:16.
22
      immediate 23:10.
      impact 8:1, 28:6.
23
      implore 52:3.
      importance 29:9, 29:16.
      important 7:7, 10:14, 11:6, 22:25, 29:11, 30:17,
24
        58:11, 58:12.
25
      importantly 32:3.
      imposed 17:19.
```

```
1
      impression 7:23.
      in-situ 3:10, 3:13, 12:15, 17:5, 24:21, 24:23, 46:13,
        62:19, 62:20, 63:22, 64:21.
 2
      in. 38:22, 40:20, 57:25.
 3
      inappropriate 43:1.
      Inc. 3:6.
 4
      include 3:9, 19:3.
      included 6:5.
 5
      including 6:7, 10:3, 29:25.
      incompetent 52:22.
 6
      increase 45:22.
      Indian 18:11, 34:21, 45:16, 61:9.
      Indians 17:22, 52:23.
      Indigenous 16:23, 17:2, 18:2, 19:5, 20:13, 21:25,
 8
        22:3, 24:16, 25:20, 28:20, 29:1, 58:23, 60:8.
      individuals 52:5.
 9
      industry 15:25, 64:15.
      information 4:2, 7:4, 10:12.
      Informed 14:14.
10
      infrastructure 14:25, 36:21, 37:1, 37:8.
11
      infrastructures 65:10.
      inject 63:13.
      Injection 1:3, 2:17, 2:20, 3:5, 3:6, 3:10, 3:12, 8:11,
12
        8:12, 8:13, 16:2, 26:23.
13
      input 5:16, 8:6.
      insane 9:13.
14
      Instructions 7:1.
      intense 35:13.
15
      intention 63:1.
      interconnected 28:10.
16
      interest 9:25, 17:15, 67:20.
      intergenerational 18:14.
17
      international 61:14, 61:20.
      internet 6:9.
18
      interrupt 5:1.
      intervenors 14:6.
19
      introduce 2:12.
      investments 14:9.
20
      invite 11:23, 14:13, 14:17.
      involved 22:20.
21
      irregardless 19:16.
      irreparable 17:9, 23:11.
22
      ISL 13:13, 13:20.
      Island 17:2.
      issue 5:2, 9:9, 9:17, 24:7, 37:24.
23
      issued 3:4, 23:7.
24
      issues 26:2.
      issuing 9:2, 9:5, 9:13.
25
      it'll 33:16.
      it. 23:17.
```

```
1
      Izzy 32:21.
 2
      < J >.
 3
      Jacque 11:8.
      Jacqueline 67:11, 67:25.
 4
      James 4:1.
      Japan 39:14.
 5
      Jerusalem 47:6.
      job 28:18, 33:17, 33:24, 33:25, 36:2, 36:3.
 6
      jobs 46:15.
      Jocelyn 34:25.
 7
      Johnny 34:24.
      Jones 34:25.
 8
      Judge 7:11, 11:11.
      Judges 26:13.
      JUDICIAL 2:1, 2:3, 12:3, 16:5, 16:17, 16:21, 19:6,
 9
        19:22, 20:10, 22:1, 24:17, 25:17, 28:22, 32:15,
        32:18, 34:2, 34:14, 38:5, 41:2, 41:10, 43:4, 43:7,
10
        43:16, 43:20, 49:9, 52:8, 58:24, 59:3, 59:13, 59:20,
        59:23, 60:9, 61:1, 62:6, 62:8, 62:12, 64:6, 64:10,
11
        65:19, 65:22, 66:1.
      Justice 10:24.
12
13
      < K >.
14
      K. 67:11, 67:25.
      Katherin 3:1, 3:2.
15
      Kathy 49:13, 49:14.
      Keep 15:1, 45:13, 46:4, 46:16, 47:1, 48:23, 52:4,
        52:13, 54:11.
16
      keeps 46:19.
17
      Keystone 28:9.
      kid 39:23.
18
      kids 47:10, 57:15, 57:17.
      Kile 12:8, 12:9, 16:5, 16:7, 16:16, 24:18, 24:19,
19
        62:15, 64:12.
      kill 58:20.
20
      killing 62:4.
      kind 31:10, 33:15, 35:4, 37:8, 42:16, 53:3, 58:9,
21
        65:11.
      kinds 39:20, 54:13, 58:18.
22
      kiniya 26:19.
      Knee 61:9.
      known 18:12.
23
      knows 45:19, 53:21.
24
25
      < L >.
      label 52:21.
```

```
1
      labeled 52:21.
      lack 36:20.
 2
      ladies 38:8.
      lady 23:14, 40:17, 49:17, 51:13.
 3
      Lake 48:8.
      Lakota 17:1, 17:19, 18:7, 25:24, 27:1, 29:3, 29:16,
 4
        29:17, 29:25, 38:9, 40:12, 47:4.
      Land 15:6, 17:13, 26:12, 27:2, 31:20, 36:3, 36:8,
        49:21, 50:10, 50:25, 55:5, 55:13, 55:14, 58:15,
 5
        58:16, 61:18, 61:22, 61:23.
 6
      land-use 65:4, 65:6.
      landowners 65:3.
 7
      lands 18:21, 19:2.
      landscapes 15:19.
 8
      language 64:14.
      language. 16:24, 19:5, 20:14, 21:25, 22:4, 24:16,
 9
        25:21, 28:20, 29:1, 60:8.
      Laramie 17:18, 18:10.
      last 11:21, 40:6, 51:7, 52:12.
10
      last-minute 11:16.
11
      lasted 13:7.
      later 13:3, 39:19, 63:13.
      Law 11:19, 21:20, 26:12, 30:14, 31:19, 61:14, 61:20,
12
        61:22.
13
      Laws 26:8, 26:15, 30:9, 31:20, 31:22, 31:23.
      leach 12:15, 24:21, 24:23, 62:19, 62:21, 63:23,
14
        64:21.
      lead 55:23, 56:2.
      leak 24:25, 31:11, 48:18, 54:17.
15
      leaks 44:7, 44:22, 45:7.
16
      learn 29:15.
      lease 62:22, 62:23.
      Leave 6:20, 62:2, 62:3.
17
      leaving 13:14, 64:24.
18
      left 4:18, 14:10.
      lesions 44:14.
19
      less 49:4, 56:6.
      level 42:25, 55:22, 56:2.
20
      levels 42:24, 55:17, 63:16.
      liars 38:25.
21
      license 13:20, 46:5.
      Licensing 15:18.
22
      life 15:14, 16:15, 22:17, 25:7, 26:18, 32:8, 40:12,
        40:13, 43:15, 48:20, 55:7, 55:8, 56:22, 56:25,
        57:13, 57:14, 57:17, 58:4, 58:10, 58:12, 58:14,
23
        58:19, 58:20.
24
      lifestyle 54:5, 54:9, 57:9.
      limit 4:17.
25
      Lincoln 65:5.
      line 49:1.
```

```
1
      lines 40:18.
      list 45:25.
      listed 31:8.
 2
      listen 3:17, 7:9, 10:7, 21:11.
 3
      listening 40:23.
      Little 12:21, 34:23, 38:16, 39:23, 40:1, 40:3, 44:2,
 4
        51:17, 53:11, 64:14.
      live 14:13, 24:19, 25:13, 29:15, 38:21, 40:15, 44:10,
        44:25, 49:15, 50:3, 50:13, 51:16, 54:4, 54:9, 57:9,
 5
        58:22, 62:15, 62:20.
 6
      lived 47:24, 51:13.
      livelihood 50:2.
 7
      lives 13:10, 22:14, 40:21, 46:21, 49:16.
      living 12:19, 37:6, 38:22, 51:1.
 8
      lo 26:20.
      local 29:24, 30:6, 30:8, 30:16, 65:2, 65:7.
 9
      Locally 14:3.
      located 12:13.
10
      location 4:2, 8:3.
      LOCKE 20:12, 20:13.
11
      Lodge 1:10.
      long 24:6, 33:16, 48:25, 49:1.
      long-time 13:21.
12
      longer 50:22, 51:24.
13
      look 19:14, 25:10, 27:24, 37:23, 39:21, 44:22, 45:25,
        46:7, 47:15, 48:11, 53:2, 53:4, 54:14, 54:16, 54:21,
14
        57:11, 57:12.
      looked 20:4, 55:25.
15
      looking 33:21.
      lose 55:12, 55:15.
16
      lot 12:23, 24:22, 26:5, 30:18, 35:3, 36:12, 36:24,
        37:23, 38:19, 49:24, 50:15.
17
      loud 12:4, 60:6.
      lower 63:14, 63:16.
18
      lung 13:2.
      lying 39:2.
19
      Lynne 2:22, 34:18, 34:19, 34:20, 38:10.
20
      < M >.
21
      machinery 37:9.
      maintain 51:1, 51:24.
22
      major 22:15, 39:6.
      Maka 26:25, 40:12.
23
      male 61:16.
      Man 36:20, 51:17.
24
      manager 2:16.
      managers 15:6.
25
      Manifest 18:19.
      maps 14:11.
```

```
1
      mask 18:19.
      materials 6:6.
 2
      matter 6:5, 7:16, 37:6, 53:1, 55:13, 55:14.
      mayor 11:17.
 3
      Mcbride 11:13.
      Mdeakantonwon 20:17.
      mean 33:1, 35:9, 35:10, 35:21, 43:14, 45:15, 57:14.
 4
      meaning 26:18.
 5
      meaningful 18:3, 21:8, 21:9, 29:24, 32:1.
      means 27:7, 55:4.
      meat 49:25, 50:17, 50:22.
 6
      mecca 47:6, 47:7.
 7
      media 11:1.
      medically 21:1.
 8
      medicines 48:3.
      meet 10:16, 10:19, 22:22.
 9
      member 19:12, 21:8, 22:10, 29:3.
      members 5:8.
10
      mental 9:20.
      mentioning 28:10, 64:25.
11
      mess 63:18.
      message 40:11.
12
      met 2:8.
      metals 13:12.
13
      Michelle 16:18, 16:20, 16:23, 16:25.
      microphone 4:12, 12:5, 59:22.
14
      miles 24:21, 34:22, 62:20.
      mill 14:10.
15
      Miller 11:12.
      milling 12:16, 14:21.
      million 18:7, 36:9.
16
      mine 12:16, 13:11, 14:4, 14:10, 17:8, 18:23, 24:22,
        45:2, 45:21, 51:4, 52:19, 60:24, 62:19, 62:21.
17
      minerals 63:19, 63:25, 64:23.
18
      mines 24:23, 30:19, 30:22, 40:16, 45:20, 45:21.
      mining 14:21, 16:3, 17:6, 26:23, 30:24, 46:14, 47:2,
19
        50:4, 50:5, 60:20, 63:22, 63:23, 64:22.
      Minter 2:15.
20
      minute 4:18, 11:21, 41:19.
      minutes 4:17, 4:20, 5:5, 16:6, 40:24, 41:19, 41:22,
21
        52:13.
      misappropriate 18:6.
22
      misbehave 11:15.
      Mission 29:11, 49:15.
      Missouri 20:16, 57:19.
23
      mistrust 17:23.
24
      mists 45:23, 48:22.
      misunderstanding 8:4.
25
      mitakuye 27:6.
      Mni 16:14, 26:19, 43:12.
```

```
1
     Mom 12:25, 35:8, 35:19.
      moment 4:5, 37:5.
 2
      monetary 18:7.
      money 40:11, 50:15, 52:4, 56:16, 56:23.
 3
      monitor 31:14.
      monitoring 31:5, 31:12.
 4
      months 13:3.
      moon 24:3.
 5
      mostly 12:22, 42:5, 42:19.
      Mother 12:25, 23:15, 23:19, 26:25, 27:18, 28:19, 29:5,
 6
        51:7, 62:4.
     MOUNTAIN 52:9, 52:10.
 7
      mountainsides 39:21.
      move 12:1, 37:1.
 8
      moved 23:15.
      movement 16:8, 16:11, 29:7, 35:3.
      Ms 4:5, 7:3, 7:5, 16:5, 16:16, 62:7, 65:8.
 9
      Mt 67:29.
10
      Mueller 3:25.
     Mylott 2:24.
      myself 2:8, 5:9.
11
12
      < N >.
13
      name 2:2, 4:15, 12:5, 12:9, 16:25, 19:11, 24:19,
        25:22, 29:2, 34:19, 38:8, 43:11, 49:14, 60:14,
        60:15, 61:7, 62:14, 62:15.
14
      Nancy 12:8, 12:9, 16:7, 64:12.
      Nation 19:17, 29:16, 29:17, 32:1, 48:9, 61:17.
15
      National 15:12, 30:13, 54:3.
16
      Nations 15:13.
      natural 48:20, 54:9, 57:9, 61:24, 62:2.
17
      nature 36:5.
      NE 1:12.
18
      near 3:7, 7:17, 14:19, 15:16.
      nearby 13:16.
19
      Nebraska 12:12, 12:17, 12:18, 14:2, 15:15, 15:20,
        16:4, 16:10, 18:12, 19:13, 24:20, 48:13, 62:16,
20
        64:13.
      need 12:4, 15:23, 16:1, 27:1, 28:1, 33:21, 36:11,
        37:4, 41:21, 50:9, 53:17, 53:20, 53:22, 54:13, 55:5,
21
        56:15, 56:19, 56:21, 56:22, 58:6, 58:12, 59:22,
22
        66:3.
      needed 52:5.
      needs 15:23, 27:17, 51:20, 58:22, 59:24.
23
      negative 27:22.
24
      neither 67:18.
      new 30:23, 42:15, 63:3.
25
      Newton 2:22.
      Next 16:17, 19:7, 20:12, 22:2, 28:23, 43:21.
```

```
1
      NHPA 30:14.
      nice 25:10.
 2
      night 55:20.
      nine 13:2, 34:25.
 3
      nine-year-old 35:7.
      Niobrara 1:10.
 4
      nobody 44:24, 45:19, 46:7.
      nor 5:12, 67:19.
      North 14:19, 60:17.
 5
      northwest 12:18.
 6
      northwestern 8:7.
      Notary 67:32.
 7
      notes 10:22.
      nothing 38:12, 46:8.
 8
      notice 4:6, 5:11.
      notwithstanding. 26:16.
 9
      NPRA 21:21.
      NRC 65:4.
      Nuclear 15:7, 15:17, 27:21, 42:10, 42:11.
10
11
      < 0 >.
12
      Oahe 57:22.
      occurs 16:12.
13
      ocean 39:13.
      Oceti 17:1, 19:1, 19:12, 20:7, 20:17, 20:22, 24:11,
        24:12, 26:21, 29:4, 35:6.
14
      offer 9:24, 28:4.
      offering 10:2.
15
      Office 2:5, 2:17, 2:25, 6:11.
      OFFICER 2:1, 2:3, 3:3, 11:13, 11:19, 12:3, 16:5,
16
        16:17, 16:21, 19:6, 19:22, 20:10, 22:1, 24:17,
        25:17, 28:22, 32:15, 32:18, 34:2, 34:14, 38:5, 41:2,
17
        41:10, 43:4, 43:7, 43:16, 43:20, 48:13, 49:9, 52:8,
        58:24, 59:3, 59:13, 59:20, 59:23, 60:9, 61:1, 62:6,
18
        62:8, 62:12, 64:6, 64:10, 65:19, 65:22, 66:1.
19
      official 22:8.
      officially 66:2.
      officials 14:7, 17:24, 65:14.
20
      Ogallala 8:1, 8:2.
21
      Oglala 14:5, 22:6, 22:7, 22:10, 22:21, 23:8, 24:8,
        24:12, 44:1, 44:24.
22
      Oglalas 45:15.
      oil 16:3, 40:18, 56:15, 56:20, 57:2.
      Okay 2:1, 41:10, 43:6, 43:20, 49:13, 59:1, 59:13,
23
        59:21, 60:6, 61:2, 65:22, 66:4.
24
      Oklahoma 63:15.
      old 30:21, 35:1, 45:20, 51:7.
25
      Omaha 37:22.
      on-point 4:23.
```

```
1
      once 5:20.
      One 4:18, 8:13, 8:14, 13:4, 13:23, 13:25, 18:15, 21:6,
        29:10, 32:23, 35:7, 36:16, 37:10, 38:23, 39:9,
 2
        39:10, 40:17, 41:19, 44:19, 44:20, 46:8, 46:21,
 3
        46:25, 54:1.
      one. 23:7, 58:7.
 4
      open 3:19, 59:8.
      operation 12:16, 12:22.
 5
      operations 13:13, 16:9, 65:11.
      opinion 63:8.
 6
      opinions 24:15, 52:17.
      opportunity 2:11, 10:19.
 7
      oppose 25:3, 25:15, 26:22, 27:16.
      opposition 17:4, 19:19, 42:6.
 8
      orchards 57:16.
      order 4:16.
 9
      Oregon 39:19.
      organizations 22:20.
10
      original 62:18.
      originally 62:21.
11
      others 34:4, 38:11.
      otherwise 67:21.
      ourselves 52:24, 56:19, 56:21, 65:14.
12
      out-of-state 16:9.
13
      outcome 67:21.
      outcrops 48:7, 48:9.
14
      outside 43:23.
      overpower 28:7.
15
      overturning 28:12.
      overwhelming 47:19.
16
      own 33:6, 34:24.
      owners 15:7.
17
      oyasin 27:6.
      Oyate 17:1.
18
19
      < P > .
      p.m. 1:8, 34:13, 41:8, 41:9, 59:12, 61:6, 62:11, 64:9,
20
        65:25, 66:9.
      panel 5:9.
21
      panhandle 16:4.
      pantries 50:18, 50:21.
22
      parking 36:24.
      part 6:4, 8:8, 10:15, 11:10, 20:16, 20:22, 28:3, 29:4,
23
        29:7, 48:8, 63:21.
      participating 66:7.
24
      participation 7:7, 9:2.
      parties 67:19.
25
      passed 4:20, 19:18.
      past 32:9, 38:19.
```

```
1
      Paula 28:23, 28:25, 29:2.
      Pause 34:12, 59:11, 61:5, 62:10, 64:8, 65:24.
 2
      Pause. 45:11.
      pay 27:9.
 3
      PENNINGTON 67:7.
      people 5:6, 10:7, 10:11, 10:16, 10:20, 14:13, 14:17,
 4
        14:20, 17:2, 17:15, 20:20, 21:2, 21:22, 23:12,
        23:25, 24:8, 25:1, 25:12, 25:13, 27:1, 30:9, 31:17,
        32:12, 32:13, 33:17, 33:22, 33:24, 34:15, 35:23,
 5
        36:6, 37:16, 38:2, 38:25, 40:15, 41:12, 41:18, 44:5,
 6
        44:9, 44:25, 45:17, 49:1, 50:3, 50:10, 50:15, 50:19,
        50:23, 50:25, 51:3, 52:16, 52:20, 53:14, 54:18,
 7
        55:21, 56:3, 56:7, 56:23, 57:7, 57:20, 58:4, 58:6,
        60:19, 60:23, 64:17.
 8
      Peoples 18:2.
      percent 22:13, 54:7, 54:8, 57:8.
 9
      percentage 53:22.
      period 3:19, 9:22, 9:23, 10:1, 10:21, 13:4.
10
      Perli 11:8, 67:11, 67:25.
      permit 3:10, 3:12, 3:16, 5:18, 8:16, 8:17, 9:7, 9:17,
        23:5, 23:22, 24:7, 24:10, 30:24, 31:2, 32:25, 45:3,
11
        48:14, 63:3.
      Permits 1:3, 3:6, 3:9, 3:18, 8:13, 8:21, 9:3, 9:5,
12
        9:9, 9:13, 11:7, 19:19, 19:24, 20:8.
13
      permitted 30:24.
      permitting 10:18, 30:23, 31:10.
14
      petroglyphs 47:24.
      Phil 25:22.
      PHILIMON 25:18, 25:20.
15
      philosophy 47:12.
16
      physical 42:25.
      physically 21:1.
17
      pile 36:23, 37:2.
      Pine 15:22, 24:9, 45:16, 46:18, 49:23, 50:2, 55:16,
18
        56:7, 61:9.
      pipe 31:9, 35:9.
19
      Pipeline 28:8, 60:21.
      pipelines 27:20, 58:1.
      place 38:10, 58:20.
20
      plan 62:18.
21
      plants 40:13, 48:2, 49:5, 57:14.
      play 48:24.
22
      pleading 21:23.
      Please 4:3, 4:14, 4:23, 5:1, 6:15, 12:6, 12:9, 21:23,
        31:25, 41:14, 41:23, 62:14.
23
      Plenty 60:15, 60:16, 62:24.
24
      podium 12:6.
      point 7:4, 22:9, 32:8.
25
      point. 34:10, 52:14.
      poison 53:10, 53:16, 56:10, 58:2, 58:3.
```

```
1
      poisoned 16:12.
      poisonous 13:6.
 2
      poisons 55:10, 55:11.
      police 11:14.
 3
      political 65:1.
      pollute 51:25.
 4
      ponds 13:16, 45:24, 48:21.
      poor 50:25.
 5
      poorest 50:24.
      popped 40:22.
 6
      population 14:15, 15:3, 54:8.
      portions 29:11.
 7
      Portland 39:19.
      positive 13:12.
 8
      poverty-stricken 18:15.
      power 28:6, 42:10, 42:15.
 9
      Powertech 3:6, 33:1, 33:22.
      pray 19:2, 21:5, 24:1, 24:5.
10
      prayer 17:11.
      prayers 19:4.
11
      precious 20:3.
      prefer 18:16.
12
      prepare 6:17.
      preparing 6:1.
13
      presence 11:14.
      present 11:20, 38:13.
14
      Preservation 15:12, 30:14, 48:13.
      preserve 18:24.
      President 22:6, 23:6, 23:8, 27:17, 27:24, 28:6.
15
      presiding 3:2.
16
      pressure 16:2.
      pretty 25:10, 55:25, 57:5.
17
      prevalent 9:4.
      previous 11:16.
18
      Pristine 47:3, 48:17.
      private 65:2.
19
      proactive 11:23.
      probably 9:4, 33:6, 46:1, 55:23.
      problems 49:25, 52:1.
20
      procedure 9:7, 9:19.
21
      procedures 31:1, 33:4, 33:5, 33:6, 33:7.
      Proceeding 6:2, 34:12, 59:11, 61:5, 62:10, 64:8,
22
        65:24, 66:9, 67:15.
      proceedings 67:12.
23
      process 3:13, 8:15, 9:2, 10:15, 10:18, 42:5, 66:7.
      production 16:12.
      Professional 67:11, 67:27.
24
      program 8:12.
25
      project 10:25, 15:10.
      proper 36:14.
```

```
1
      properties 15:10.
      property 15:6, 49:23, 65:2.
      proponents 14:21.
 2
      proposal 5:11, 5:13, 42:6.
      PROPOSED 1:4, 4:6, 6:23, 7:16, 8:13, 9:10, 17:8,
 3
        19:15, 45:21.
 4
      proposing 3:14, 20:6.
      protect 18:16, 28:17, 29:13, 32:6, 32:7, 32:10, 36:3,
 5
        50:9, 50:10.
      protected 21:20, 21:21.
 6
      protecting 8:22, 20:16, 63:11.
      Protection 2:4, 2:17, 8:9, 8:23, 28:17, 42:12.
 7
      proud 29:7.
      prove 51:22, 63:5, 64:3.
 8
      provide 6:20, 7:3, 29:23, 58:13.
      provided 23:4.
 9
      psychological 51:19.
      Public 1:1, 2:24, 3:18, 3:20, 6:7, 7:24, 9:1, 9:10,
        9:11, 9:15, 9:21, 9:24, 10:1, 10:3, 10:13, 10:14,
10
        11:11, 11:19, 12:22, 52:16, 65:16, 67:32.
11
      publications 14:11.
      pulled 39:12.
12
      pumped 57:25.
      purpose 5:15.
13
      Pursuance 26:9.
      purview 8:24, 8:25, 9:17.
14
      pushback 14:4.
      pushing 32:24.
      put 15:14, 32:25, 35:8, 40:16, 40:18, 40:19, 63:5.
15
16
      < Q >.
      quality 31:3, 58:4, 58:9.
17
      questionable 40:6.
18
      questions 2:14, 5:10, 5:21.
      quite 40:8.
19
20
      < R >.
      radio 51:9.
21
      radioactive 33:14.
      radioactive-contaminated 14:14.
22
      railroad 13:24.
      rain 39:20.
23
      raised 12:19, 34:20, 47:10.
      Ramkota 3:23.
24
      ranch 49:19.
      Rapid 3:22, 10:4, 67:30.
25
      rare 49:6.
      rate 40:7, 54:11, 57:16.
```

```
1
      rates 37:16.
      rather 11:21, 63:9.
 2
      ratified 31:18.
      Rd. 67:29.
 3
      read 11:5, 19:8.
      real 14:9.
      really 18:3, 19:14, 20:2, 20:4, 21:7, 33:1, 33:3,
 4
        35:17, 36:11, 36:17, 36:19, 36:20, 44:9, 45:15,
        47:19, 50:5, 51:21, 54:14, 60:6, 61:11.
 5
      reason 45:1.
 6
      reasons 23:10.
      receive 5:15.
 7
      received 5:17.
      recess 41:8.
 8
      reclaimed 30:20, 30:23.
      reclamation 31:2.
 9
      recognize 31:25.
      record 6:4, 11:11, 12:11, 34:10, 34:16, 59:10, 59:14,
10
        61:3, 62:7, 62:9, 62:13, 64:7, 64:11, 65:23, 67:15.
      recording 5:23, 59:25.
      Recovery 3:7, 3:11, 3:13, 7:17, 8:14, 13:14, 15:21,
11
        64:16.
12
      Red 4:21, 41:22, 46:21.
      reduced 67:13.
13
      refer 26:6.
      referendum 61:16.
14
      Regarding 15:9.
      regards 19:23.
      REGIONAL 2:1, 2:3, 12:3, 16:5, 16:13, 16:17, 16:21,
15
        19:6, 19:22, 20:10, 22:1, 24:17, 25:17, 28:22,
        32:15, 32:18, 34:2, 34:14, 38:5, 41:2, 41:10, 43:4,
16
        43:7, 43:16, 43:20, 49:9, 52:8, 58:24, 59:3, 59:13,
        59:20, 59:23, 60:9, 61:1, 62:6, 62:8, 62:12, 64:6,
17
        64:10, 65:19, 65:22, 66:1.
18
      register 42:6, 42:19.
      Registered 67:11, 67:27.
19
      registration 4:3, 4:13, 6:16, 6:20, 7:2, 41:15.
      regulates 8:12.
20
      regulations 9:6, 9:14, 9:22, 30:10.
      Regulatory 8:25, 15:17.
21
      reinjections 48:22.
      reject 18:22, 21:23, 24:10.
22
      related 3:7, 8:22, 9:19, 67:19.
      relations 12:22.
23
      relations. 27:7.
      relationship 22:22.
24
      relative 29:5.
      relatives 26:21, 42:23, 56:7.
25
      relevance 48:14.
      relief 14:23.
```

```
1
      rely 40:5.
      remain 19:3.
 2
      remains 52:18.
      remember 21:15, 36:12, 37:4, 47:5, 48:25.
 3
      remind 29:10.
      reminder 41:18.
 4
      reminds 63:14.
      renewable 27:24.
 5
      repairs 15:1.
      report 31:8, 44:16, 44:17.
 6
      Reporter 5:25, 11:9, 59:22, 67:12, 67:27.
      Reporting 67:28.
 7
      represent 25:24.
      request 11:17, 19:25, 30:21, 51:6.
      require 9:23, 24:10.
 8
      requirements 8:18.
 9
      requiring 23:5.
      resentful 17:22.
      Reservation 34:21, 38:10, 45:16, 46:19, 49:15, 60:17,
10
        61:10.
11
      reservations 7:21, 49:24.
      resident 12:12, 12:25, 13:21, 29:6, 42:22.
12
      Residents 13:10, 13:12, 13:16.
      resides 37:12.
13
      residual 37:24.
      resist 40:18, 40:19.
14
      resistance 17:5, 40:15.
      resolution 19:18.
15
      resolutions 23:4.
      Resources 12:15, 13:5, 37:14, 38:2, 54:9, 54:13, 57:9,
16
        61:25, 62:3.
      respond 5:14, 5:16.
17
      responses. 65:21.
      result 17:21.
18
      retain 18:16.
      return 5:1, 18:21.
19
      returned 12:18.
      review 6:10.
20
      Rich 2:24.
      Ridge 15:22, 24:9, 45:16, 46:18, 49:23, 50:2, 55:16,
21
        56:7, 61:9.
      Rights 18:2, 65:2.
22
      rise 37:17.
      risks 29:14.
      River 12:14, 13:17, 15:16, 15:22, 20:16, 24:21, 37:3,
23
        39:24, 40:3, 44:2, 44:3, 45:8, 45:18, 45:19, 46:20,
24
        57:19.
      rivers 48:19.
25
      ROBERT 52:9, 52:10.
      Rock 20:15, 21:7, 35:3, 36:18, 60:16, 60:17.
```

```
1
      rocks 27:3.
      room 2:14, 49:10.
      Rosebud 25:25, 34:21, 38:9, 40:8, 45:17, 49:15, 50:2,
 2
        51:11.
 3
      ROWEN 59:16, 59:19, 60:7.
      Rowland 61:7, 61:8.
 4
      ruin 25:7, 35:24.
      ruining 48:6, 52:1.
 5
      ruled 18:4.
      rumored 13:18, 13:25.
 6
      run 54:12, 57:12, 65:12.
      rural 15:25, 37:6, 37:7, 64:17.
 7
      Rushmore 67:29.
 8
      < S >.
9
      Sacramento 39:12.
      sacred 18:17, 19:3, 21:4, 22:12, 22:18, 24:4, 45:14.
      safe 11:18, 16:1, 42:8, 42:9, 48:23, 55:19, 56:1.
10
      Safety 15:18.
      Sakowin 17:1, 19:1, 19:12, 20:7, 20:17, 20:23, 24:11,
11
        24:13, 26:21, 29:4, 35:6.
12
      Sam 38:6, 38:7, 38:9.
      SAMUEL 43:10, 43:11, 43:15, 43:17, 43:19.
13
      sand 64:24.
      Sandhills 15:20.
14
      Santee 19:13, 19:17.
      Sapa 21:4, 45:14.
      save 35:23.
15
      savings 15:14.
16
      saw 36:22, 55:20.
      saying 14:20, 19:7, 59:24, 60:2, 64:18.
      says 28:16, 45:13, 46:8, 61:15.
17
      scheduled 7:18.
18
      school 14:24, 51:24.
      schools 15:7.
19
      science 48:24.
      scientist 53:3.
      Scott 24:18, 24:19, 62:15, 64:25.
20
      SD 67:30.
21
      sealed 13:24.
      second 38:22.
22
      Section 15:11, 30:13.
      security 54:3.
23
      seeing 35:4.
      seems 53:8, 53:10.
24
      seen 52:18.
      sending 51:8, 51:9.
25
      sense 42:21, 53:4, 53:15.
      sent 51:10.
```

```
1
      SEQUOIA 59:16, 60:7.
      serious 57:12.
 2
      seriously 9:22.
      set 9:6, 28:12, 30:10.
 3
      shall 26:9, 26:10, 26:12, 26:13.
      share 10:16, 10:20, 19:20.
      SHEA 2:19, 4:5, 7:3, 7:5, 16:16.
 4
      sheets 8:17.
      SHIELD 19:8, 19:10, 19:11, 19:23.
 5
      shining 24:3.
 6
      Shirt 46:21.
      short 8:21, 32:21.
 7
      short-term 52:6.
      shortsighted 15:6.
 8
      shouldn't 50:14, 63:7, 64:1.
      show 60:18, 60:22.
9
      showed 55:15.
      shy 59:2.
      Sicangu 16:25, 25:24, 29:3, 42:22, 65:9.
10
      sick 14:18, 38:3, 44:13.
      side 39:9, 54:1.
11
      sides 53:25.
      sign 4:21, 34:5, 40:22, 41:23, 45:12.
12
      signal 4:18, 4:20.
13
      signed 26:4, 26:5, 52:12.
      significance 18:25, 22:16, 23:1.
14
      significant 21:5, 29:14, 29:22, 30:4, 30:5.
      silent 46:9.
15
      simple 36:15, 37:25.
      simply 37:13.
16
      Singing 60:7.
      single 17:14.
      Sioux 12:12, 14:5, 16:7, 19:13, 19:17, 21:8, 22:6,
17
        22:7, 22:10, 22:21, 23:8, 24:8, 24:12, 26:1, 34:21,
18
        44:24, 61:17, 64:12.
      sister 49:16, 55:15.
19
      sit 10:6, 21:10, 28:3.
      Site 6:10, 7:17, 15:8, 15:11.
      sites 17:11, 17:12, 23:24, 24:4, 30:5, 54:16.
20
      sitting 2:19, 3:1, 5:25, 18:9, 40:9.
21
      skills 51:24.
      small 55:22.
22
      snow 36:23, 37:2.
      snowed 36:19.
23
      social 18:25.
      soil 11:2.
24
      soils 16:10.
      soils. 64:19.
25
      solar 56:17.
      sold 51:5.
```

```
1
      solution 64:22.
      solutions 28:4.
 2
      Somebody 32:24, 33:18.
      someone 11:22, 59:8.
 3
      somewhere 63:21.
      somewheres 40:2.
 4
      soon 52:11.
      sorry 32:19, 40:24.
 5
      sort 58:3.
      sounds 9:16.
 6
      source 13:7.
      SOUTH 3:8, 3:23, 3:24, 4:1, 7:18, 12:20, 14:19, 29:6,
 7
        42:22, 44:1, 50:15, 50:21, 61:9, 67:5.
      southern 7:20.
 8
      sovereign 32:1.
      space 42:3.
 9
      spanning 13:8.
      speaker 12:1, 12:8.
      speakers 4:12, 41:5, 60:10.
10
      Speaking 16:23, 19:5, 20:13, 21:25, 22:3, 24:16,
11
        25:20, 28:20, 29:1, 49:18, 58:23.
      Specialist 2:24.
12
      specific 8:20.
      specifically 8:18.
13
      spend 56:24.
      spent 12:23, 35:3, 51:7.
14
      spill 13:6.
      spills 44:7, 44:23.
15
      Spirit 48:8.
      spiritual 18:25, 22:16, 23:1.
16
      spirituality 27:2.
      spiritually 21:2, 29:22, 30:5.
17
      spoke 23:14, 40:17, 41:6, 64:13.
      spouse 45:10.
18
      spray 45:23, 48:21.
      Spring 39:24, 39:25, 40:2.
19
      Springs 3:24, 39:25.
      SS 67:6.
      St. 4:1.
20
      stability 16:11.
21
      stable 16:1.
      staff 2:9, 6:15.
22
      stand 17:4, 27:15.
      Standing 20:15, 20:18, 21:7, 21:22, 26:20, 35:3,
23
        36:18, 60:16, 60:17.
      STANDS 43:10, 43:11, 43:12, 43:14, 43:15, 43:19,
24
        43:21, 43:22, 43:24, 43:25, 49:10, 58:25, 59:2.
      staring 45:10.
25
      start 5:20, 15:24, 26:3, 41:21, 65:13.
      started 2:12, 12:7, 36:22, 41:11, 47:8.
```

```
1
      STATE 4:15, 8:8, 26:13, 26:15, 50:16, 60:14, 62:14,
        62:18, 64:1, 65:5, 67:5.
 2
      statement 29:12.
      statements 10:9.
 3
      States 17:25, 18:5, 26:7, 26:9, 26:12, 29:12, 30:1,
        30:15, 31:22.
      stay 10:20, 27:18, 55:6, 66:5.
 4
      Ste 67:29.
 5
      stealing 39:3, 61:24.
      stenographically 67:13.
 6
      step 9:1.
      stepped 56:3, 56:4.
 7
      stewardness 36:7.
      stewards 36:2.
 8
      stigmatized 52:21.
      stolen 62:1.
 9
      stop 4:21, 15:24, 28:1, 40:22, 41:22, 43:2, 46:10,
        52:3.
10
      stopped 13:21.
      stories 38:18, 39:10.
11
      story 29:18, 39:1.
      straying 4:25.
12
      stress 29:8.
      stripping 64:23.
13
      strongly 20:2.
      struck 36:17.
14
      stuff 19:14, 44:17, 64:19, 64:24.
      stupid 52:22, 53:9.
15
      submit 6:24.
      submitting 7:1.
16
      succinct 4:23.
      sudden 57:24.
      suffer 51:19.
17
      suicide 57:16.
18
      Sun 24:3, 61:7, 61:8.
      Superfund 15:8.
19
      supervision 67:14.
      supplies 53:6, 53:11.
      supply 16:1, 56:19.
20
      support 31:22, 60:18, 60:22.
21
      supporting 6:19.
      suppose 34:22.
22
      supposed 25:11, 44:16, 53:9, 54:25, 55:2, 55:6.
      supposedly 55:19.
23
      Supreme 18:4, 26:12, 31:19, 61:22.
      surface 31:14.
24
      surfaced 38:23.
      surprised 9:16.
25
      surrounding 21:2, 30:1, 40:8.
      survey 30:3.
```

```
1
      survive 53:17, 53:18, 53:19, 53:20, 54:14, 56:13,
        56:14.
 2
      survived 58:4, 58:8.
      sus- 15:15.
 3
      sustain 55:8, 58:19.
      sustainable 15:15.
      SUTIN 2:1, 2:3, 7:11, 11:11, 12:3, 16:5, 16:17, 16:21,
 4
        19:6, 19:22, 20:10, 22:1, 24:17, 25:17, 28:22,
        32:15, 32:18, 34:2, 34:14, 38:5, 41:2, 41:10, 43:4,
 5
        43:7, 43:16, 43:20, 49:9, 52:8, 58:24, 59:3, 59:13,
        59:20, 59:23, 60:9, 61:1, 62:6, 62:8, 62:12, 64:6,
 6
        64:10, 65:19, 65:22, 66:1.
 7
      swim 44:9, 47:19.
      swimming 44:8, 46:23.
 8
      system 15:2, 22:18, 24:24, 31:6, 31:9, 31:12.
      systems 55:11.
9
10
      < T >.
      table 3:2, 4:3, 4:14, 6:1, 6:16, 6:21, 7:2, 41:15.
      tales 39:2.
11
      talked 38:19.
12
      talks 46:25.
      tap 13:22.
13
      taught 54:18.
      tax 14:23.
14
      tectonic 16:11.
      tells 40:21, 44:24.
      temporary 45:2, 46:5, 48:14, 62:23.
15
      ten 34:6, 34:25, 45:2, 48:15, 62:20.
16
      ten-year-old 35:16.
      tends 35:17.
      term 26:17, 27:6.
17
      terminally 12:24.
18
      territory 18:11.
      test 54:16.
19
      tested 13:12.
      testimonies 21:12.
      testimony 4:10, 4:15, 4:17, 4:22, 5:8, 5:20, 6:15,
20
        23:2, 41:21, 41:24.
21
      testing 51:19.
      tests 46:19, 48:18.
22
      Thanks 42:2, 43:3.
      thereafter 67:13.
23
      thereby 26:14.
      thereof 26:10.
24
      they'11 47:22.
      They've 55:17, 62:24.
      thinking 36:22, 40:9.
25
      third 39:5.
```

```
1
      third-generation 49:23.
      though 11:6, 20:22, 28:9, 36:1, 47:16, 48:12, 53:9.
 2
      thousands 58:14.
      threat 23:10.
 3
      threats 20:1.
      three 39:18, 47:4, 51:8.
 4
      three-fourths 61:16.
      throughout 32:9, 35:2, 36:17.
 5
      tie 26:6.
      tied 15:7.
 6
      ties 13:24.
      tip 39:8.
 7
      tiwahe 17:3.
      tiyospaye 17:3, 25:23.
 8
      Today 2:6, 3:16, 4:8, 4:10, 5:23, 6:2, 7:9, 10:5,
        10:9, 10:11, 11:24, 17:4, 18:7, 18:11, 20:7, 22:24,
        24:1, 24:10, 24:14, 32:5, 35:16, 38:21, 39:22,
9
        57:3.
10
      together 32:7, 32:9.
      tongue. 58:23.
      TONIA 43:14, 43:24, 43:25, 59:2.
11
      tool 64:23.
12
      top 38:13, 48:1.
      topic 4:25.
13
      touch 10:20, 54:24, 54:25, 55:3.
      tough 36:19.
14
      toward 24:9.
      towards 39:14.
15
      town 7:25, 44:2, 45:18, 64:17.
      toxic 14:2.
16
      traditional 15:9, 22:11.
      trafficking 14:17.
17
      transcript 6:2, 6:4, 6:11, 6:17.
      trauma 18:14.
18
      travel 14:11, 37:18.
      Treasury 18:9.
19
      treat 37:19, 38:2.
      treated 3:13, 8:15.
      Treaties 17:18, 17:21, 26:5, 26:10, 36:10.
20
      Treaty 18:10, 22:19, 25:25, 26:3, 26:4, 26:6, 27:15,
21
        31:18, 61:15, 61:22.
      treaty-related 26:1.
22
      trees 27:3.
      trek 23:25.
23
      triangle 4:19, 41:20.
      tribal 11:3, 21:8, 23:6, 24:8, 30:7, 30:8, 30:9,
24
        30:10.
      Tribe 14:5, 19:13, 19:18, 20:7, 22:6, 22:7, 22:10,
25
        22:21, 23:2, 23:7, 23:8, 24:12, 26:1, 30:5, 44:24,
        46:19.
```

```
1
      Tribes 29:24, 29:25, 30:6, 30:16, 50:16.
      tried 53:24.
 2
      true 52:25, 67:15.
      truly 21:9.
 3
      Trump 27:17, 28:8.
      try 4:23, 11:22, 38:14, 52:13, 62:24.
 4
      trying 28:14, 49:20, 51:1.
      tsunami 39:14.
 5
      turn 4:7, 4:14.
      turning 65:3.
 6
      Turtle 17:2.
      TV 55:21.
      Two 3:4, 8:13, 8:16, 10:3, 11:6, 13:8, 14:1, 25:18,
        25:20, 25:22, 34:15, 59:15.
 8
      typewriting 67:14.
9
      < U >.
      U.N. 18:1.
10
      UIC 3:5, 3:9, 3:11, 3:16.
      ultimately 17:20.
11
      un- 30:19.
12
      unbelievable 55:18.
      unborn 25:24.
13
      unceded 18:11.
      Unci 26:25, 40:12.
14
      uncle 13:20, 44:19.
      uncles 44:15.
      Underground 1:2, 2:16, 2:20, 3:5, 8:11, 13:7, 55:5.
15
      underneath 45:8, 54:19.
16
      understand 28:13, 50:6, 53:4, 53:24, 59:4.
      understanding 67:16.
17
      undertaken 15:1.
      undetected 13:6.
18
      uninformed 14:17.
      Unit 2:16, 2:17, 2:21.
19
      United 17:25, 18:5, 26:9, 26:11, 31:21.
      units 65:9.
20
      universe 27:8, 27:14, 47:8.
      unlicensed 15:7.
21
      Until 3:19, 4:10, 11:21, 18:18, 34:7, 39:10, 63:9.
      upheld 63:9.
22
      Uranium 3:7, 3:11, 7:17, 8:10, 8:14, 12:16, 14:4,
        14:10, 14:21, 16:3, 17:6, 18:23, 20:5, 21:14, 26:23,
        40:16, 42:8, 43:12, 44:4, 45:2, 45:14, 46:24, 51:4,
23
        55:17, 56:20, 58:2, 60:20, 60:24, 61:10, 62:2,
24
        64:16.
      USA 3:6.
25
      uses 57:8.
      using 64:22.
```

```
1
 2
      < V >.
      Valentine 1:12, 7:19, 7:23, 18:12, 37:21.
 3
      valley 40:1.
      Valois 2:19, 2:23, 5:9.
 4
      valuable 8:6, 20:5.
      value 18:25, 49:4, 49:7.
 5
      values 14:9.
      vegetables 48:2.
 6
      vegetation 27:4.
      vent 33:23.
 7
      venue 7:19.
      VI 26:7.
 8
      vice 22:6.
      violating 61:15.
 9
      violation 61:14, 61:20.
      violations 13:5.
      visit 4:3, 14:13, 66:5.
10
      vital 14:15.
      voice 12:4, 24:15, 27:12, 27:13, 52:16, 52:19.
11
      vote 61:17.
12
13
      < W >.
      wait 11:21, 34:7, 63:9.
14
      wake 18:14.
      WANIYA 20:12, 20:13.
      wanted 7:19, 9:18, 34:23, 42:5, 42:19, 64:13.
15
      wanting 42:7.
16
      wants 2:10, 6:3.
      WARD 32:16, 32:17, 32:19, 32:20.
17
      washed 39:20.
      waste 3:13, 8:15, 14:2, 15:8, 16:9, 17:6, 25:8, 31:4,
18
        33:10, 42:11.
      Water 2:17, 13:7, 13:22, 15:2, 16:1, 16:12, 16:14,
        17:13, 20:3, 20:19, 20:24, 21:14, 22:12, 22:14,
19
        22:15, 23:16, 23:20, 24:9, 25:7, 26:17, 26:19, 29:9,
        29:20, 31:4, 32:6, 32:7, 32:8, 32:12, 35:9, 35:23,
20
        35:24, 36:4, 36:8, 36:10, 40:4, 40:5, 40:13, 43:15,
21
        45:5, 46:11, 46:19, 50:10, 50:12, 51:2, 53:16,
        53:20, 53:22, 54:12, 55:11, 55:22, 55:25, 56:2,
22
        56:5, 56:8, 56:19, 57:13, 57:18, 57:20, 57:23,
        57:25, 58:2, 58:3, 62:18, 63:5, 63:11, 63:12, 63:16,
        63:19, 64:3, 64:22.
23
      waters 36:13, 37:15, 44:11, 48:17, 55:17, 61:11.
24
      waterworks 14:25.
      wave 2:15.
25
      ways 22:11, 24:6.
      weapons 50:7.
```

```
1
      weather 39:7, 39:21.
      Website 4:4.
 2
      welcome 10:13, 66:4.
      well-known 38:17.
 3
      wells 3:10, 3:12, 8:12, 13:23, 13:25, 14:2, 26:23.
      West 24:20, 39:15, 62:16.
 4
      Western 3:23.
      whatever 8:9, 33:14, 53:22.
 5
      Whether 52:17.
      White 12:14, 13:16, 15:16, 15:22, 24:20, 40:3, 44:2,
 6
        44:3, 45:8, 45:17, 45:18.
      Whitney 46:23.
 7
      whoever 52:15.
      whole 10:25, 21:17, 24:13, 36:17, 42:5, 48:6.
 8
      Wiconi 16:14, 43:12.
      WIDE 52:9, 52:10.
 9
      wildlife 17:14.
      will 2:6, 3:21, 3:22, 4:5, 4:8, 4:10, 4:12, 4:16,
        4:18, 4:20, 4:21, 4:25, 5:6, 5:16, 5:20, 5:24, 6:1,
10
        6:2, 6:5, 6:12, 6:16, 6:21, 7:3, 7:13, 8:1, 8:24,
        10:19, 11:10, 17:8, 17:10, 17:13, 17:17, 20:25,
11
        23:8, 23:11, 24:25, 26:24, 27:18, 34:7, 36:1, 41:4,
        41:20, 43:2, 50:22, 59:5, 59:6, 61:2.
12
      Wind 47:13, 47:22, 56:16.
13
      wisdom 39:2.
      wish 10:6, 11:25, 45:12.
14
      within 31:2, 31:21, 40:6.
      without 11:19, 17:25, 32:24, 53:18, 53:19, 53:20.
15
      witnesses 14:7.
      woman 22:13.
16
      wonder 18:2.
      wondering 42:16.
17
      word 7:12, 11:10.
      words 25:5.
18
      work 4:9, 27:1, 51:18, 57:15.
      work. 29:15.
19
      Workers 13:23.
      works 2:20, 2:23, 3:3.
      world 18:16, 20:19, 20:21, 21:17, 33:12, 35:18, 38:21,
20
        38:22, 39:5, 39:6, 39:8, 45:4, 53:7, 53:14, 54:8.
21
      worry 14:8, 46:15.
      worse 56:8.
22
     Wounded 61:8.
      wrap 16:6.
23
      wrapping 41:21.
      written 5:18, 6:14, 6:18, 6:24, 7:12, 38:12.
24
     Wyoming 16:8, 30:1.
25
      < X >.
```

```
1
      XL 28:9.
 2
      < Y >.
 3
      Yates 60:17.
      years 12:20, 13:8, 32:9, 34:25, 40:6, 45:2, 48:15,
 4
        51:7, 51:14, 55:18, 56:9, 58:14.
      yellow 4:19.
 5
      yellowcake 12:21, 14:10, 49:3, 49:4, 49:8.
      young 38:15, 51:17.
 6
      younger 59:15.
      youngsters 43:8.
 7
 8
 9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
```